J O U R N A L

of the

ELEVENTH SENATE

Being

The Seventy-Ninth Session

of the

Legislature

1855

New Jersey State Library

LIST OF MEMBERS

OF

THE ELEVENTH SENATE

OF THE

STATE OF NEW JERSEY.

Atlantic,	The Honorable	DAVID B. SOMERS,
Bergen,	"	DANIEL D. DEPEW
Burlington,	"	JOSEPH W. ALLEN,
Camden,	"	JOHN K. ROBERTS,
Cape May,	"	JOSHUA SWAIN,
Cumberland,	"	LEWIS HOWELL,
Essex,	"	GEORGE R. CHETWOOD,
Gloucester,	"	JOSEPH FRANKLIN,
Hudson,	"	MOSES B. BRAMHALL,
Hunterdon,	"	ALEXANDER V. BONNELL
Mercer,	"	WM. C. ALEXANDER, (Pres.
Middlesex,	"	RALPH C. STULTS,
Monmouth,	"	ROBERT LAIRD,
Morris,	"	ALEXANDER ROBERTSON,
Ocean,	"	JAMES COWPERTHWAITE,
Passaic,	"	THOMAS D. HOXSEY,
Salem,	"	CHARLES P. SMITH,
Somerset,	"	SAMUEL K. MARTIN,
Sussex,	"	ISAAC BONNELL,
Warren	"	WILLIAM REA.

LIST OF MEMBERS

OF

THE GENERAL ASSEMBLY.

Atlantic—Nicholas F. Smith.

Bergen—Ralph S. Demarest, Thomas W. Demarest.

Burlington—Joseph Sooy, Jr., Elisha Gaunt, Benjamin Gibbs, William Parry, (Speaker), Thomas L. Norcross.

Camden—Samuel S. Cake, Reily Barrett, John L. Hines.

Cape May—Jesse H. Diverty.

Cumberland—James M. Wells, John F. Keen.

Essex—Nehemiah Perry, Charles O. Bolles, James Adolphus Pennington, Apollos M. Elmer, Joseph F. Hopping, Daniel F. Tompkins, Samuel R. Winans, Daniel D. Benjamin, Hugh Holmes.

Gloucester—Jacob G. Tomlin, James B. Albertson.

Hudson—Dudley S. Gregory, Jr.. John M. Board, Jacob M. Merseles.

Hunterdon—Jacob S. Pittenger, Edward Hunt, Lewis Young, Peter E. Vorhees.

Mercer—James Vandeventer, William Jay, Garret Schenck.

Middlesex—Martin A. Howell, Samuel E. Stelle, William Hutchinson.

Monmouth—John Vandoren, Henry C. Lafetra, Thomas Stout, William Johnson.

Morris—Edward Howell, William P. Conklin, Aaron Pitney, William Logan.

Ocean—William F. Brown.

Passaic—William C. Stratton, William Morrel, John Schoonmaker.

Salem—Joshua Thompson, John Harris.

Somerset—Alvah Servis, John S. Hoagland.

Sussex—James L. Decker, Aaron K. Stinson, Daniel D. Gould.

Warren—Archibald Osborn, John White, George H. Beatty.

JOURNAL

OF THE PROCEEDINGS OF

THE ELEVENTH SENATE

OF THE

STATE OF NEW JERSEY

BEING

THE SEVENTY-NINTH SESSION OF THE LEGISLATURE.

TRENTON, January 9th, 1855.

This being the time and place appointed by the Constitution for the assembling of the Legislature, the following members of the Senate, viz:

The Hon.	Wm. C. Alexander,	of the county of		Mercer,
" "	Joseph W. Allen,	" "		Burlington,
" "	Alexander V. Bonnell,	" "		Hunterdon,
" "	Isaac Bonnell,	" "		Sussex,
" "	Moses B. Bramhall,	" "		Hudson,
" "	James Cowperthwaite,	" "		Ocean,
" "	Daniel D. Depew,	" "		Bergen,
" "	Lewis Howell,	" "		Cumberl'd,
" "	Thomas D. Hoxsey,	" "		Passaic,
" "	Alexander Robertson,	" "		Morris,
" "	David B. Somers,	" "		Atlantic,
" "	Ralph C. Stults,	" "		Middlesex,
" "	Joshua Swain, Jr.,	" "		Cape May,

Appeared in their seats.

The Senate having been called to order by Mr. Throckmorton, the late Secretary,

Mr. A. V. Bonnell moved that the Hon. Joseph W. Allen be appointed President *pro tem* of the Senate.

Which was agreed to.

The President *pro tem.* having taken the chair,

Mr. Bramhall presented the credentials of the Hon. Robert Laird, a Senator from the County of Monmouth,

Which were read and approved, and the oath prescribed by law having been duly administered to Mr. Laird by the President *pro tem.*, he took his seat in the Senate.

Mr. Howell presented the credentials of the Hon. Charles P. Smith, a Senator from the County of Salem,

Which were read and approved, and the oath prescribed by law having been duly administered to Mr. Smith by the President *pro tem.*, he took his seat in the Senate.

Mr. Bramhall presented the credentials of the Hon. John K. Roberts, a Senator from the County of Camden,

Which were read and approved, and the oath prescribed by law having been duly administered to Mr. Roberts by the President *pro tem.*, he took his seat in the Senate.

Mr. Somers presented the credentials of the Hon. Joseph Franklin, a Senator from the County of Gloucester,

Which were read and approved, and the oath prescribed by law having been duly administered to Mr. Franklin by the President *pro tem.*, he took his seat in the Senate.

Mr. Robertson presented the credentials of the Hon. William Rea, a Senator from the County of Warren,

Which were read and approved, and the oath prescribed by law having been duly administered to Mr. Rea by the President *pro tem.*, he took his seat in the Senate.

Mr. Allen presented the credentials of the Hon. George R. Chetwood, a Senator from the County of Essex,

Which were read and approved, and the oath prescribed by law having been duly administered to Mr. Chetwood by the President *pro tem.*, he took his seat in the Senate.

Mr. Allen presented the credentials of the Hon. Samuel K. Martin, a Senator from the County of Somerset,

Which were read and approved, and the oath prescribed by law having been duly administered to Mr. Martin by the President *pro tem.*, he took his seat in the Senate.

The newly elected members of the Senate appearing, and all having been sworn,

The Senate proceeded to the choice of a President for the present session.

Mr. Hoxsey nominated the Hon. William C. Alexander, of the county of Mercer.

No other nominations being made,

The Secretary, under the direction of the President *pro tem.*, proceeded to call the Senate, when the vote was as follows:

For William C. Alexander—

Messrs. Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

William C. Alexander, having received all the votes cast, was declared by the President *pro tem.* unanimously elected President of the Senate for the present session,

And was conducted to the chair by Messrs. Hoxsey and Swain.

Upon taking the chair, the President addressed the Senate in an appropriate and elegant speech, returning his thanks for this renewed manifestation of confidence in thus, for the third time, unanimously electing him to preside over its deliberations.

The Senate then proceeded to the choice of a Secretary,

Whereupon,

Mr. Howell nominated John Rodgers, of the county of Burlington.

Mr. Bramhall nominated Aaron R. Throckmorton, of the county of Monmouth.

The Senate being called, the vote was as follows :

For John Rodgers—

Messrs. Allen, Chetwood, Cowperthwaite, Howell, Martin, Smith, Stults, Swain—8.

For Aaron R. Throckmorton—

Messrs. Alexander, A. V. Bonnell, I. Bonnell, Bramhall, Depew, Franklin, Hoxsey, Laird, Rea, Roberts, Robertson, Somers—12.

Aaron R. Throckmorton having received a majority of the votes cast, was declared to be duly elected Secretary of the Senate for the present session,

And having taken and subscribed the oaths prescribed by law, he took his seat at the table.

The Senate then proceeded to the election of Sergeant at-arms.

Mr. Allen nominated James Furman, of the county of Burlington.

Mr. Laird nominated William R. Thomas, of the county of Cumberland.

The Senate being called, the vote was as follows :

For James Furman—

Messrs. Allen, Chetwood, Cowperthwaite, Howell, Martin, Smith, Stults, Swain—8.

For William R. Thomas.

Messrs. Alexander, A. V. Bonnell, I. Bonnell, Bramhall, Depew, Franklin, Hoxsey, Laird, Rea, Roberts, Robertson, Somers—12.

William R. Thomas having received a majority of the votes cast, was declared duly elected Sergeant-at-Arms and Doorkeeper of the Senate, for the present session.

The Senate then proceeded to the election of Engrossing Clerk of the Senate,

Whereupon,

Mr. Laird nominated Joseph Myers, of the County of Camden.

Mr. Allen nominated Randolph H. Moore of the County of Mercer.

The Senate being called, the vote was as follows:

For Joseph Myers—

Messrs. Alexander, A. V. Bonnell, Bramhall, Depew, Franklin, Hoxsey, Laird, Rea, Roberts, Robertson, Somers—

For Randolph H. Moore—

Messrs. Allen, Chetw ood, Cowperthwaite, Howell, Martin Smith, Stults, Swain—8.

Joseph Myers having received a majority of the votes cast, was declared duly elected Engrossing Clerk of the Senate, for the present session.

Mr. Bramhall offered the following resolution:

Resolved, That the Secretary inform the House of Assembly that the Senate has met, formed a quorum, and eleeted Hon.

William C. Alexander, of the County of Mercer, President, and Aaron R. Throckmorton, of the County of Monmouth, Secretary, and has proceeded to business,

Which was read and agreed to.

Mr. I. Bonnell offered the following resolution:

Resolved, That when the Senate adjourn it adjourn to meet again to-morrow morning at 10 o'clock, which shall be the stated hour of meeting of the morning session, until otherwise ordered,

Which was read and agreed to.

Mr. Robertson offered the following resolution:

Resolved, That the Rules of the last session be considered the Rules of the present session until others are adopted,

Which was read and agreed to.

Mr: Roberts offered the following resolution:

Resolved That the Secretary be authorized to furnish the necessary Stationery for the use of the Senate,

Which was read and agreed to.

Mr. Depew offered the following resolution:

Resolved, That Stacy B. Reed, of the County of Burlington, be appointed Assistant Secretary of the Senate, at a sum not exceeding three dollars per day,

Which was read and agreed to.

Mr. Rea offered the following resolution:

Resolved, That the morning sessions of the Senate be opened with Prayer, and that a Committee be appointed to invite the Clergymen of Trenton and vicinity to officiate in the performance of that duty,

Which was read and agreed to,

Whereupon,

The President appointed Messrs. Rea and Franklin said Committee.

Mr. Depew offered the following resolution:

Resolved, That the Secretary of the Senate be directed to furnish each officer and member of the Senate with one hundred post-stamped envelopes and one hundred newspaper stamps,

Which was read and agreed to.

Mr. Swain offered the following resolution:

Resolved, That each member of the Senate be furnished with a copy of the Revised Statutes, and of Gifford's Index,

Which was read and agreed to.

On motion of Mr. A. V. Bonnell,

The Senate then adjourned.

WEDNESDAY, January 10, 1855.

At 10 o'clock the House met.

The Journal of the previous day was read and approved.

Mr. Robertson offered the following resolution:

Resolved, That a Committee of two Senators be appointed to advise and co-operate with the Secretary in procuring Stationery for the use of the Senate, during the present session.

Which was agreed to.

The President appointed Messrs. Robertson and Allen said Committee.

The President announced the following Joint and Standing Committees on the part of the Senate:

JOINT COMMITTEES.

Treasurer's Accounts.

Messrs. A. V. Bonnell and Smith.

State Prison Accounts.

Messrs. Robertson and Howell.

Library.

Messrs. Hoxsey and Chetwood.

Passed Bills.

Messrs. Depew and Stults.

Lunatic Asylum.

Messrs. Laird and Chetwood.

Public Buildings.

Messrs. Somers and Martin.

Public Printing.

Messrs. Rea and Somers.

STANDING COMMITTEES.

Judiciary.

Messrs. Hoxsey, Allen and Bramhall.

Corporations.

Messrs. Laird, Chetwood and A. V. Bonnell.

Education.

Messrs. A. V. Bonnell, Smith and Robertson.

Unfinished Business.

Messrs. Roberts, Howell and I. Bonnell.

Finance.

Messrs. Bramhall, Allen and Hoxsey.

Elections.

Messrs. I. Bonnell, Stults and Depew.

Agriculture.

Messrs. I. Bonnell, Cowperthwaite and Depew.

Militia.

Messrs. Somers, Cowperthwaite and Franklin.

Miscellaneous Business.

Messrs. Depew, Martin and Rea.

Engrossed Bills.

Messrs. Franklin, Stults and Somers.

Municipal Corporations.

Messrs. Rea, Swain and Roberts.

Claims and Pensions.

Messrs. Somers, Franklin and Depew.

Mr. Allen gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Bordentown Reservoir and Water Company.

Mr. Depew offered the following resolution:

Resolved, That the Sergeant-at-Arms be allowed to employ two boys as Messengers for the Senate.

The Yeas and Nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

YEAS—Messrs. Alexander, A. V. Bonnell, I. Bonnell, Depew, Franklin, Hoxsey, Laird, Rea, Somers—9.

NAYS—Messrs. Allen, Chetwood, Cowperthwaite, Martin, Robertson, Smith, Stults, Swain—8.

Mr. Allen gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A supplement to the act entitled "An act to renew and re-establish the Passaic Water Company," approved February 13th, 1849, and supplemental thereto.

Also,

A bill entitled,

"An act to incorporate the Passaic Quarry Company."

Mr. Hoxsey offered the following concurrent resolution:

Resolved, (House of Assembly concurring), That a Committee of the Senate and Assembly be appointed to wait on the Governor and inform him that both Houses have met and have organized, and are ready to receive any communication he may be pleased to make.

Which was read and agreed to.

The President appointed Messrs. Hoxsey and Swain as a Committee on the part of the Senate.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows:

HOUSE OF ASSEMBLY, January 10, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly has met, formed a quorum, and appointed the Hon. William Parry Speaker, and Peter D. Vroom Clerk, and has proceeded to business.

I am further directed inform the Senate that the House has passed the following concurrent resolution:

Resolved, (Senate concurring), That a Committee of the House be appointed to wait on the Governor and inform him that both Houses had met and organized, and were ready to receive any communication he may be pleased to make.

And that,

The House has appointed Messrs. Perry, Holmes and Schenck said Committee.

PETER D. VROOM, Clerk,

On motion of Mr. Hoxsey,

The concurrent resolution agreed to by the Senate to appoin a Committee of the Senate and Assembly to wait on the Governor was rescinded.

The message from the House of Assembly was then taken up and read, and the concurrent resolution from the House of Assembly concurred in.

And,

Messrs. Hoxsey and Swain appointed said Committee on the part of the Senate.

On motion of Mr. Hoxsey

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Hoxsey, from Joint Committe to wait upon the Governor and inform him that the two Houses had met, organized, and were ready to receive any communication he might be pleased to make.

Reported, That the Committee had performed that duty, and that they were instructed to inform the Senate that the Governor would communicate with both Houses immediately.

Which report was read and accepted.

Mr. Chetwood presented a petition from the Newark Mutual Fire Assurance Company, representing that such has been the unprecedented success of the Company that the funds at the present time approach nearly $200,000, and asking the passage of a law authorizing the Directors in their discretion hereafter to declare dividends on the stock of the Company to any amount not exceeding ten per cent. per annum, *provided* that no dividends shall ever be made which shall reduce the capital below $100,000.

Which was read and referred to the Committee on Corporations.

A message from the Governor, with sundry accompanying documents, was reeeived by the hands of Mr. Shreve, his Private Secretary.

The Message was then read as follows:

(For Governors' Message and accompanying documents, see Appendix.)

On motion of Mr. A. V. Bonnell, the reading of the documents accompanying the Message was dispensed with.

On motion of the same Senator,

The documents accompanying the Governors' Message were referred to the Judiciary Committee, for the purpose of selecting those to be printed with the Message and those to be printed separately.

Mr. Hoxsey offered the following resolution:

Resolved, That one thousand copies of the Governors' Message and accompanying documents, be printed for the use of the Senate,

Which was read and agreed to.

Mr. Depew offered the following resolution:

Resolved, That that portion of the Governors' Message in relation to Banks and Banking, be referred tc the Committee of Finance,

Which was read and agreed to.

Mr. Robertson gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Hackettstown Mining and Manufacturing Company.

Mr. Franklin gave notice that he would on to-morrow, or some future day, ask leave to introduce

A biil entitled,

A supplement to the act to authorize the Trustees of the Woodbury Methodist Episcopal Church to sell part of their Church Lot, approved March 2d, eighteen hundred and fifty-four.

On motion of Mr. Somers,

The Senate then adjourned.

THURSDAY, January 11th, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Kirkpatrick.

The journal of the previous day was read and approved.

The President laid before the Senate a communication from Thomas Jefferson Cade, of Gloucester county, relative to the appointment of a Clerk to the Senate, &c.,

Which was read, and ordered to be laid on the table.

Mr Martin gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to authorize the township of Bernards, in the county of Somerset, to vote by ballot at their town meetings.

The committee on Corporations, to which was referred the petition of the Newark Mutual Fire Assurance Company, by their chairman, Mr. Laird, reported

A bill entitled

A further supplement to the act entitled "an act to incorporate the Newark Mutual Fire Assurance Company," passed the fourth day of November, in the year of our Lord one thousand eight hundred and eleven;

Which was read for the first time by its title, and ordered to have a second reading.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Bordentown Reservoir and Water Company;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Robertson, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Hackettstown Mining and Manufacturing Company;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Swain gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to authorize a subscription on the part of the State, to a new edition of Elmer's Digest of the Law.

Mr. Allen offered the following resolution:

Resolved, That a committee be appointed to report rules for the government of the Senate, during the present sesson.

Which was read and agreed to.

The President appointed Messrs. Allen and A. V. Bonnell said committee.

The President laid before the Senate the following invitation:

To the Honorable the President and Members of the Senate of New Jersey:

The undersigned, on behalf of the Committee of Arrangements of the New Jersey Colonization Society, respectfully invite the presence of the Senate at the Annual Meeting of the Society, in the Hall of the General Assembly, in this building, this evening, at seven o'clock.

THOMAS J. STRYKER,
JOHN HALL,
Committee.

Trenton, January 11, 1855.

Which being read,

On motion of Mr. Hoxsey,

The invitation was accepted.

Mr. Robertson gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Moorestown Gas Light Company.

On motion of Mr. Laird,

The Senate then adjourned.

At three o'clock the Senate met.

Mr. Chetwood presented the Fifth Annual Report of the Board of Managers of the Elizabethtown Savings Institution, as follows :

To the Honorable the Legislature of the State of New Jersey :

Pursuant to the provisions of an act to incorporate the "Elizbethtown Savings Institution," the Board of Managers beg leave to present their Fifth Annual Report as follows:

They have received from depositors from the thirty-first day of December, eighteen hundred and fifty-four, the sum of twenty thousand, two hundred and ninety-four dollars and three cents.

They have paid depositors during the same period, twenty-two thousand and fifty-six dollars, and thirty-seven cents.

STATEMENT.

Cash balance, Dec. 31st, 1853,	$3,758 04
Deposits received from Dec. 31, 1853, to Dec. 31, 1854,	20,294 03
Cash received on bonds, from Dec. 31, 1853, to Dec. 31, 1854,	3,400 50
Cash received for interest from Dec. 31, 1853, to Dec. 31, 1854,	2,345 11
Cash received for note, from Dec. 31, 1853, to Dec. 31, 1854,	1,476 75
	$31,274 43

Cash paid depositors from Dec. 31, 1853, to Dec. 31, 1854,	$22,056 37
Cash paid on bonds on and mortgages from Dec. 31, 1853, to Dec. 31, 1854,	4,950 00
Cash paid on secured notes from Dec. 31, 1853, to Dec. 31, 1854,	3,325 00
Cash paid on expense account,	252 50
Cash on hand Dec. 31, 1854,	690 56
	$31,274 43

Profit and Loss.

Profit balance on hand, Dec. 31, 1853,	$286 82
Interest rec'd from Dec. 31, 1853, to Dec. 31, 1854,	2,345 11
" due to Dec. 31, 1854, (to be received),	1,206 00
	$3,837 93

Dividend to Depositors, January, 1854,	812 25
" " July, "	905 80
" to be declared, January, 1855,	973 53
Cash paid Expense account,	252 50
	2,944 08
Earned profits to Dec. 31st, 1854,	893 85
	$3,837 93

Present State of the Institution.

Amount due Depositors,	$41,683 68
" Note in Bank,	1,500 00
" Interest to be declared, January, 1855,	973 53
" Earned profits,	893 85
	$45,051 06

Amount of Bonds and Mortgages,	$39,029 00
" Secured Notes.	4,125 00
" Interest due on above,	1,206 50
" Cash on hand,	690 56
	$45,051 06

New Jersey, Essex County, ss.

On this 3d day of January, 1855, personally appeared before the subscriber, a Justice of the Peace in and for the County aforesaid, Meline W. Halsey, Treasurer of the "Elizabethtown Savings Institution," who being duly sworn, on his oath saith, that the foregoing statement is just and true.

Sworn and subscribed before me,
January 3d, 1855.

APOLLOS M. ELMER, *Justice of the Peace.*

M. W. HALSEY, *Treasurer.*

On motion of Mr. Chetwood, the reading of the same was dispensed with, and the Report ordered to lie on the table.

Mr. Laird, Chairman of the Committee on the Judiciary, to whom was referred

The bill entitled,

An act to incorporate the Bordentown Reservoir and Water Company,

Reported the same without amendment.

Mr. Allen, from the Committee on Rules, reported as follows:

The Committee appointed to report Rules for the government of the Senate, during the present session, beg leave to report the following:

1. The President having taken the Chair, a quorum being present, the journal of the preceding day shall be read, to the end that any mistake therein may be corrected.

2. The President shall not engage in any public debate without leave of the Senate, except so far as shall be necessary for

regulating the form of proceeding; but shall, on all occasions, support the strictest order, agreeably to those rules.

3. No member shall interrupt the business of the Senate by entering into private conversation during a debate, or whilst any business is before the Senate that requires the general attention.

4. Every member that rises to speak shall address himself to the President; and when any two members shall rise at the same time, the President shall determine which shall speak first.

5. No member shall speak in any debate without rising, nor more than three times on any one subject of debate, unless he first obtain leave of the Senate.

6. When a motion shall be made, it shall be reduced to writing, if desired by the President or any member, and delivered to the Secretary, at his table, and read, before the same shall be debated.

7. The members, during a debate, shall keep their seats, except the member who rises to speak; and in all debates and proceedings the members shall keep themselves within the strictest rules of decorum.

8. The consent of a majority of the members present shall be sufficient to engross or re-engross any bill or joint resolution; but no bill or joint resolution shall pass, unless there be a majority of all the members of the Senate personally present and agreeing thereto; and the yeas and nays of members voting on the final passage of any such bill or joint resolution shall be entered on the journal; and the like entry on any other question shall be made at the desire of any one member.

9. All committees shall be appointed by the President, unless otherwise ordered by the Senate.

10. The following standing committees shall be appointed at the commencement of each session, until otherwise ordered:

A Committee on the Judiciary.
A Committee on Finance.
A Committee on Elections.
A Committee on Corporations.
A Committee on Municipal Corporations.
A Committee on Agriculture.
A Committee on Education.
A Committee on the Militia.
A Committee on Claims and Revolutionary Pensions.
A Committee on Miscellaneous Business.
A Committee on Unfinished Business.
A Committee on Engrossed Bills, whose duty it shall be to

examine all bills and Joint resolutions, before they shall be put upon their third reading, and who shall report the same to the Senate, and the Secretary shall enter upon the journal that the same have been correctly engrossed; which several committees shall consist of three members each.

Special committees shall consist of three members, unless otherwise ordered by the Senate.

The following committees of two members each, shall be also appointed to act jointly with corresponding committees to be appointed by the House of Assembly:

A Committee on the Treasurer's Accounts.

A Committee on the State Prison.

A Committee on the Lunatic Asylum.

A Committee on Public Printing.

A Committee on the Library.

A Committee on Public Grounds and Buildings.

A Committee on Passed Bills, as required by joint rule number six.

11. All motions entered on the journal of the Senate shall be entered in the name of those who make them.

12. When a question is under debate, no motion shall be received but to adjourn, to lie on the table, to postpone indefinitely, to postpone to a day certain, to commit, or to amend; which several motions shall have precedence in the order they stand arranged, and the motion for adjournment shall always be in order, except when a vote is being taken, and decided without debate.

13. If the question in debate contain several points, any member may have the same divided; but on a motion to strike out and insert, it shall not be in order to move for a division of the question: but the rejection of the motion to strike out and insert one proposition, shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

14. The unfinished business in which the Senate was engaged at the last preceding adjournment, shall have the prefererence in the special orders of the day.

15. On a motion made, and seconded by a majority of members present, to shut the doors of the Senate on the discussion of any business which may, in their opinion, require secrecy, the President shall direct the Chamber to be cleared; and during the discussion of such motion, the door shall remain shut.

16. When an amendment, made in the Senate, to a bill from the House of Assembly, is disagreed to by that House, and not adhered to in the Senate, the bill shall be considered as standing on a third reading.

17. When a question has once been made and carried in the affirmative or negative, it shall be in order for any member voting in the affirmative, if the affirmative shall prevail, or the negative, if the negative shall prevail, to move for a re-consideration thereof: but no motion for the re-consideration of any vote shall be in order, after a bill, resolution, message, report, amendment, or motion upon the vote was taken, shall have gone out of the possession of the Senate, announcing their decision; nor shall any motion for reconsideration be in order, unless made on the same day, or the next day of actual session of the Senate thereafter.

18. When any question may have been decided by the Senate, in which three-fifths of the members elected are required to carry the affirmative, any member who voted with the majority may move for a re-consideration: and such motion shall be decided by a majority of the votes cast.

19. When the Senate are equally divided, the Secretary shall take the decision of the President, unless he has once voted.

20. The President shall have the right to name a member to perform the duties of the Chair, but such substitutions shall not extend beyond one day.

21. After the journal is read, the President shall first call for petitions, and then for reports of Standing Committees, and every petition, or memorial, or other paper, shall be referred of course, without putting a question for that purpose, unless the reference is objected to by a member at the time such petition or memorial, or other paper is presented.

22. When a member shall be called to order by the President or a Senator, he shall sit down; and every question of order shall be decided by the President without debate, subject to an appeal to the Senate; and the President may call for the sense of the Senate on any question of order.

23. One day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution: and all public bills and joint resolutions shall, after the first reading, be printed for the use of the Senate; but no other paper or document shall be printed without special order, except private bills, as provided by the next rule.

24. No private bill shall be read a second time, unless printed copies thereof, procured by the applicants, be in possession of the Senate.

25. Every bill and joint resolution shall receive three readings, previous to its being passed; and the President shall give notice at each, whether it be the first, second, or third; which readings shall be on three different days.

26. No bill shall be committed or amended, until it shall have been ordered a second reading; after which it may be referred to a committee.

27. All bills may be made the order of a particular day, and public bills when called for, shall have the preference of private bills, which (when two or more shall be called for by members) shall be taken according to their seniority, reckoning from the date of their introduction into the Senate.

28. All bills and special reports of committees shall be numbered by the Secretary, as they are severally introduced, and a list made of the same, and such bills and reports called up for consideration by the President, in their order, subject to postponement, nevertheless, for the purpose of taking up any other bill or report which the Senate may order to be considered in preference.

29. No member shall be suffered to have his vote recorded on any question, when the yeas and nays are called, unless he be present to answer to his name; and no member shall be permitted to change his vote without the unanimous consent of the members present, unless he, at the time, declares that he voted under a mistake of the question.

30. On filling up blanks, the question shall first be taken on the largest sum, the greatest number, the most distant day.

31. A majority of the members of the Senate shall constitute a quorum for legislation, and whenever a less number than a quorum shall convene at a regular meeting, and shall adjourn, the names of those present shall be entered on the journal.

32. When a less number than a quorum of the Senate shall convene at any regular meeting, they are hereby authorized to send their Sergeant-at-arms, or any other person or persons by them authorized, for any or all absent members.

33. When a memorial is referred to a committee, (praying for an act of incorporation) the committee shall not have leave to report a bill, nor shall a bill be introduced by any member, evidence is exhibited to the Senate that the application for such act has been advertised according to law.

34. Messages shall be sent to the House of Assembly by the Secretary.

35. Messages may be delivered at any stage of business, except when a question is being taken.

36. When a bill or resolution that has passed the Senate shall be carried to the House of Assembly, all papers and documents relating thereto on the files of the Senate shall be carried, by the Secretary, with such bill or resolution, to the House of Assembly.

37. The final question upon the second reading of every bill or joint resolution, originating in the Senate, shall be whether it shall be engrossed and read a third time; and no amendment shall be received at the third reading, unless by unanimous consent of the members present; but it shall be in order before the final passage of any such bill or joint resolution, to move its recommitment: and should such re-commitment take place, and any amendment be reported by the committee, the said bill or resolution shall be again read a second time and considered, and the aforesaid question again put.

38. The titles of bills, and such parts thereof only as shall be affected by proposed amendments, shall be inserted on the journal.

39. When motions are made for reference of the same subject to a select committee and to a standing committee, the question of reference to a standing committee shall be first put.

40. No standing rule or order of the Senate shall be suspended, unless by the assent of a majority of the members elected, nor rescinded or amended but by the same number; and that one day's notice shall be given of the motion for recision or amendment.

EXECUTIVE SESSION.

41. When nominations shall be made by the Governor to the Senate, a future day shall be assigned for their consideration, unless the Senate unanimously direct otherwise.

42. When acting on executive business, the Senate shall be cleared of all persons, except the Senators and Secretary.

43. All information or remarks touching or concerning the character or qualifications of any person nominated by the Governor to the office, shall be kept secret.

44. The Legislative and Executive proceedings of the Senate shall be kept in separate and distinct books.

45. All nominations approved by the Senate, or otherwise

definitely acted on, shall be transmitted by the Secretary to the Governor, with the determination of the Senate thereon, from day to day, as such proceedings may occur; but no further extract from the executive journal shall be furnished, published, or otherwise communicated, except by special order of the Senate.

On motion of Mr. A. V. Bonnell,

The same committee were authorized to superintend the printing of said Rules.

Mr. Chetwood gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to construct a draw or swing bridge over the Elizabethtown Creek, at Elizabeth Port.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, as follows:

HOUSE OF ASSEMBLY, January 11, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that they have passed the following resolution, and request their concurrence.

Resolved, (The Senate concurring), That when this House adjourns, it will adjourn to meet on Monday next, at three o'clock, P. M.

PETER D. VROOM, Clerk,

Which was taken up and read,

And,

On motion of Mr. Allen,

The concurrent resolution ordered to lie on the table.

Mr. Smith offered the following resolution:

Resolved, That the Senators from this State in the Congress of the United States, are authorized and are hereby instructed, and the Representatives in Congress, be and they are hereby respectfully requested to vote for a law either to abolish the Naturalization Laws, or so to modify them as to require a residence of twenty-one years, before any foreigner shall be admitted to citizenship.

Which being read,

Mr. I. Bonnell moved that the same be laid on the table.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

YEAS—Messrs. Alexander, (Pres't.) I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Laird, Martin, Robertson, Somers—9.

NAYS—Messrs. Allen, Roberts, Smith, Stults, Swain—5.

So said motion was agreed to.

And,

The resolution ordered to lie on the table.

Mr. Hoxsey, in pursuance of notice heretofore given, asked and obtained leave to introduce

A supplement to the act entitled "An act to renew and re-establish the Passaic Water Company," approved February 13th, 1849, and supplemental thereto approved February ninth, eighteen hundred and fifty-four.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations

On motion of Mr. Allen,

The Senate then adjourned.

FRIDAY, January 12th, 1855.

At 10 o'clock the Senate met.

The journal of yesterday was read and approved.

Mr. Martin offered the following resolution:

Resolved, That that portion of the Governor's Message relating to the working of our county and township roads be referred to a special committee.

Which was read and agreed to.

The President appointed Messrs. Martin, Robertson and Allen said Committee.

Mr. Roberts offered the following resolution:

Resolved, That so much of the Governor's Message as refers to the Naturalization Laws be referred to a special committee.

Which was read and agreed to.

And

Messrs. Roberts, Chetwood and A. V. Bonnell appointed said committee.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows:

HOUSE OF ASSEMBLY, January 12, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the Speaker has appointed the following Joint Committees, to act in co-operation with the Joint Committees already appointed on the part of the Senate:

Treasurer's Accounts.

Messrs. Perry, Logan, Diverty, Lewis, Schenck.

Public Printing.

Messrs. Stelle, Thompson, Keen, Johnson, Vandoren.

Lunatic Asylum.

Messrs. Barrett, Board, Sooy, Gibbs, Gould.

State Prison Accounts.

Messrs. M. A. Howell, Tompkins, Pitney, Vandeventer, Voorhees.

Library.

Messrs. Jay, Stout, Benjamin, Beatty, Wells.

Public Buildings.

Messrs. Pittenger, Osborn, Morrell, E. Howell, Schoonmaker

Passed Bills.

Messrs. Hunt, Young.

PETER D. VROOM, Clerk.

Mr. I. Bonnell offered the following resolution:

Resolved, That when the Senate adjourns, it adjourn to meet again on Monday next, at three o'clock, P. M.

Which was read and agreed to.

Mr. Robertson, on behalf of the Senator from Warren, Mr. Rea, who is confined to his room by sickness, moved that he be relieved from his duty as one of the Committee of the Senate

on Public Printing, and that another be appointed in his place.

Which motion was agreed to.

The President then appointed Mr. Hoxsey in place of Mr. Rea, on said Committee.

Mr. Robertson, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Moorestown Gas Light Company.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Chetwood, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to authorize the construction of a draw or swing bridge over the Elizabethtown Creek.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Swain, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to authorize a subscription on the part of the State, to a new edition of Elmer's Digest of the Laws.

Which was read for the first time by its title, and ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Roberts gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to authorize the erection of a Bridge over Coopers' Creek.

Also,

A bill entitled,

An act to incorporate the Stockton Land Association of Camden County.

On motion of Mr. Depew

The Senate then adjourned.

MONDAY, January 15, 1855.

At 3 o'clock the Senate met.

The session was opened with prayer by the Rev. Dr. Hall.

Under the direction of the President, the Secretary proceeded to call the Senate.

When the following Senators answered to their names:

Messrs. Alexander, (President), Allen, I. Bonnell, Depew, Franklin, Laird, Martin, Robertson, Stults, Swain—10.

There being no quorum present,

On motion of Mr. I. Bonnell,

The Senate then adjourned.

TUESDAY, January 16, 1855.

At 10 o'clock the Senate met.

No clergymen being present, prayer was dispensed with.

The Journal of the previous day was read and approved.

The President laid before the Senate a petition from Mary M. Armstrong and others, ladies and residents of the city of Trenton, representing that a number of the inhabitants of said city have united to form a Society and raise funds for the relief of aged indigent women, and praying an act of incorporation under the title of "The Trenton Society, for the relief of respectable aged indigent widows and single women,"

Which was read and referred to the committee on Corporations.

Mr. Cowperthwaite presented a petition from Jesse Gulick, of Ocean County, asking a change in the law to equalize taxation, so as to exempt all mortgages from taxation, given in 1849,

Which was read and referred to the Committee on the Judiciary.

Mr. Martin gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act for the renewal of the charter of the Farmers Bank of New Jersey.

Also,

A bill entitled,

An act for the renewal of the charter of the Burlington County Bank, at Medford.

Also,

A bill entitled

An act to charter the Burlington County Bank, with a capital of $100,000.

Also,

A bill entitled,

An act for the renewal of the charter of the Mechanics Bank of Burlington.

The President laid before the Senate the following report of the Commissioners appointed to report amendments to the System of Jurisprudence of this State, and provide for the election of certain officers by the people, with the bills accompanying the same.

REPORT OF LAW COMMISSIONERS.

To the Honorable the Senate and General Assembly of the State of New Jersey:

The undersigned, Commissioners, appointed in pursuance of joint resolutions of the last Legislature, a copy whereof is hereto subjoined, beg leave respectfully to report:

That at an early day after their appointment, they entered upon the discharge of their duties, and have been since diligently engaged therein, and now submit for your consideration, six bills, the result of their labors as far a completed, intending soon to present an additional report, and accompanying bills, the details of which are not yet perfected. Three of the bills herewith reported being of great importanee, and one of them of great length, we thought it due to the legislature, and the people to report them at as early a day as practicable, in order to give longer time for their examination, there being nothing in the nature of the bills still under our consideration to prevent immediate action upon those herewith submitted.

Bill No. 1, to re-organize the courts of law, provides for the

appointment of two additional justices of the supreme court, for dividing the state into seven judicial districts, and assigning one of the justices of the supreme court to hold the circuit courts, and be presiding judge of the court of common pleas, orphans' court, and court of quarter sessions, in each district, and limits, after the fourth of July next, the number of common pleas judges to three in each county, not, however, to affect those who may be in office on the first of April next, and changes the time of holding the courts in some of the counties, so as to correspond with the new arrangement of the districts.

After taking great pains to ascertain public sentiment upon this subject, we feel warranted in saying that it is quite unanimous, as much so as upon almost any other question, in demanding a re-organization of our county courts, particularly of the orphans' court. When it is considered that nearly the property in the State, real and personal, passes under the jurisdiction of this court about once in every twenty-five or thirty years, it is not surprising that such a state of public opinion should exist. We propose also, by a bill which we have under consideration, to change somewhat the mode of proceeding in the orphan's court, and make some addition to its powers, in order the better to attain the legitimate objects of that court, and if those modifications be made, it will be a strong additional reason for changing the organization of the court. The other county courts have jurisdiction of matters of less moment, but it is believed that litigation will be diminished, and the due administration of justice better attained, by re-organizing them, as well as the orphans' court. Poor people, who litigate about matters which, though small in the eyes of others, may be of considerable moment to themselves, and those accused of minor offences, may both justly demand that the provide able and learned tribunals to determine their rights, as much as those who litigation involves larger amounts of property, or who are arraigned for more heinous crimes.

It will not be improper to state in this connection, that a large number of petitions was presented to the last legislature, asking for essential changes in our county courts; the feeling upon this subject has been steadily increasing for some years past.

We believe there can be but little difference of opinion as to the necessity of re-organizing these courts; the only question is as to the mode.

Two plans were suggested, to divide the State into districts, and appoint a new judge in each, to preside over these courts,

and the plan which we recommend. This is preferable on the score of economy, as the appointment of so many new judges, with such salaries as would be necessary to secure the services of competent men, would be a heavy burthen upon the State Treasury, much greater than by the plan we propose, diminishing to the extent of the difference, our annual appropriations to common schools. Besides being cheaper, we think it will give to these courts judges of greater abilities and attainments, an object which all will desire to accomplish. The orphans' court being in reality second in importance to none in the State, every one will see the manifest propriety of having at least one judge of the first character for ability, integrity, learning and experience. It will also produce a uniformity of practice and decisions in the different counties, which is greatly needed; the justices of the supreme court meet together three times a year, while holding the courts at the state capitol, remaining here from four to six weeks, at each term, and by their conferences at these times are enabled to arrive at a great degree of uniformity in the mode of administering justice, and their opinions thus formed will merit, and doubtless receive, great respect and consideration from their associates in the county courts.

Under the other system there would be a constant diversity of opinion and practice in the different counties, occasioning frequent appeals, certioraris, and writs of error, to the higher courts, thus greatly increasing litigation, and adding to its cost. This has been strikingly exemplified in the experience of some of our sister states, which adopt the independent district system, with a presiding judge appointed solely for each district, and not required to meet and confer at stated times with his judicial brethren from other parts of the state; there very little is considered as settled law until after the decision of the court of last resort.

The supreme court at bar is now divided into two branches; three of the justices sit for the hearing of causes put on the calendar, and the other two to hear common business, under which denomination are included many warmly contested and very important questions, so much so that by special order they are often heard in the main court. By the plan we propose, the court would be rendered more useful; there would be three justices in the branch court, which could then determine all questions appropriate thereto, with the aid of the learning and experience of an additional judge; there would also be four in the main court, and the ablest judges and lawyers have concurred in the opinion that four is a better number to constitute such a

court than three; among other good reasons, there must be three out of four concurring in any decision, and such a decision is more likely to be right than that of two out of three, and after such a decision, a writ of error is rarely brought. Any just mode of putting an end to litigation is very desirable.

The justices of the supreme court are already greatly burdened by the increasing litigation of the State, having scarcely a day in the whole year, their whole time being occupied either in holding courts, or in their offices preparing opinions in the cases argued before them. For the purpose of expediting suits, and diminishing the costs of litigation, we have provided in some of the other bills herewith submitted, for the hearing before a judge in vacation of many motions that must now be heard in term time, which will greatly add to the labor of the judges. Many persons think it will require eight to perform this increased duty and the duties which would be imposed upon them as presiding judges of the county courts, but from the best information within our reach, we think seven will be sufficient, and being desirous to save the State all the expense possible, we have concluded to recommend the addition of only two to the supreme court; should experience prove our opinion to be incorrect, a future legislature can easily add to the number.

We recommend the limitation of the number of common pleas judges, as we think but three, with the addition of one from the supreme court, would be entirely sufficient for the transaction of all business, and would save nearly one-half of the expense which falls upon the county treasuries in paying their per diem compensation.

The constitution gives to the legislature full power to alter or abolish the county courts, as the public good may require; with this broad grant of power we can see no constitutional objection in the way of the changes we propose.

In fixing the time of holding the courts, we have endeavored to consult, as far as possible, the convenience of parties and witnesses, and of counsel practising in different counties, as well as to arrange them in such a manner that in some of the districts the terms might commence at different times, so that if any of the justices of the supreme court should by sickness, or other casualty, be prevented from opening his court at the proper time, another might supply his place.

The new calendar has been arranged after a careful consideration of all these reasons, and an alteration in any of the counties might require a change in the whole; as it cannot go

into operation till after the fourth of July next, the public will have full notice of the change.

Bill No. 2, being an act to simplify the pleading and practice in courts of law, proposes many material changes in the law of pleading and practice, which will, we think, prove highly advantageous.

This bill contains ninety-one sections, and to give all our reasons in detail for each change proposed, would extend this report to a length that would greatly delay us in its preparation and presentation, and might weary the patience of the legislature in its consideration.

The most that we can do is to give it a cursory examination, and should the legislature desire more minute explanations of any of its provisions, they can be given.

In preparing this, as well as the other bills, we have endeavored to act in accordance with the resolutions under which we were appointed, viz: to propose such changes "as will render the administration of justice more simple, speedy, and economical." Several sections have been framed with a view of removing the constant complaints that the ends of justice are often defeated by the technicalities of special pleadings, by a rigid adherence to form, by the strict rules on the subject of variances between the pleadings and proofs, by the omission of proper parties, or the joinder of improper ones, which omission and joinders will now defeat the action and oblige the party to begin anew, and by the limited power of amendment now possessed by the courts; of this character are sections seven, nine, ten, eleven, twelve, twenty-three, twenty-four, twenty-five, twenty-eight, twenty-nine, thirty, thirty-two, thirty-three, thirty-four, thirty-six, thirty-seven, forty-three, forty-four, forty five, and forty-six, and we feel confident that the changes proposed by these sections, will not only save many of the delays, and very much of the expense attending litigation, but also render the attainment of justice much more certain by preventing its being sacrificed to forms and technicalities.

Sections fourteen to twenty-one, both inclusive, are intended to save the necessity of bringing several actions upon the same note, or bill of exchange, in order to collect one debt, which now must often be done, operating hardly upon the debtor and creditor, by making more bills of cost to pay, and often greatly delaying, and sometimes defeating the creditor in the collection of his debt. The main provisions of these sections have been taken from a law which has been in force in New York for upwards of twenty years, with such alterations as we thought would make

it more useful. Section twenty-one is not in the New York law, and is intended to compel the collection of the debt in the first instance, if practicable, out of the party who ought to pay it, and if another pays it, to give him a remedy under the same judgment to reimburse himself without being driven to a new action against the real debtor to recover it as money paid for his use.—Section forty is proposed with the same intention for the benefit of sureties in other actions, and the practical benefits that will result from these two sections are so obvious that we need not take up time in explaining them.

Sections forty-seven to eighty, both inclusive, relate entirely to the action of ejectment.

It has long been a standing subject of reproach to the law, that our titles to real property, the most valuable of any, should be tried in an action which is a string of fictions from beginning to end; in which the declaration furnishes no definite information to the defendant of what he is called upon to answer, nor the judgment record of what has been decided, leaving it in case of dispute to be determined by extrinsic proof what property has been in controversy; in which, unlike all other actions, the judgment settles nothing exeept the right to recover, or retain the present possession, according to which of the parties succeeds in the present action, leaving the defendant who is defeated at liberty to turn around and bring a new action against the plaintiff to recover back the same property, and if successful to be followed up by another suit against himself, and so on without limit; the plainuff, if defeated, may continue bringing successive actions until stopped by an injunction from the court of chancery.

If the jury decide in favor of the plaintiff for only a part, no matter how small, of the premises claimed, the verdict and the judgment are entered up in the same way as if they decide for the whole, and extrinsic proof must often be resorted to for the purpose of determining as to what part they intended to decide. Neither is there any adequate remedy to prevent its abatement upon the death of a defendant.

There are other objections of inferior importance, which we need not take up time to discuss. Notwithstanding these objections, the old action has been retained, owing, we suppose, to its freedom from many of the technicalities incident to other actions, and to the equitable control which the courts have exercised over it; our's is almost the only American State which has retained it, and even in England it has recently been abolished.

The present action has been in use since the reign of Henry VII., some three hundred and fifty years, and it has required a vast amount of judicial legislation in this country, as well as in England, to bring it into a shape to answer even the purposes it accomplishes; safely to make an entire change in such a system requires much detail in the provisions of any substitute, and although we have endeavored to make this substitute as perfect as practicable, many questions may arise that we cannot now foresee, and therefore by section eighty we give to the supreme court power to provide for them as they occur; this power they now possess in the present action, and they can exercise it with great convenience to parties, and greatly to the advancement of justice; the power, however, is so guarded that we presume none will object to it.

The plaintiff, if successful, cannot now recover in the same action for the arrears of rent, and for special damages to the property, but must bring a new action, technically called an action for mesne profits. To meet this difficulty, and save the necessity and expense of another action, we have proposed section seventy-seven, whereby, with the aid of he court, the action can easily be moulded to answer the ends of justice.

The forms accompanying the bill are brief, simple, and free from technicality, but include everything essential; a comparison of them with the old forms of procedure, will strikingly illustrate the difference between the new and old form of action.

Section fifty-seven, providing for a bill of particulars of the title, is recommended, to enable parties to go into the trial fully prepared, and thus prevent the continual applications for new trials, on the ground of surprise and newly discovered evidence. This is the more necessary, as the pleadings furnish no information of the grounds upon which the parties rely for supporting their respective claims; and if the judgment in ejectment is to be a bar against further litigation of the same claim, as is ought to be, the parties should have every practicable facility afforded them of coming to the trial fully prepared.

Section one saves the trouble and expense of using parchment writs, a relic of old times for which there is now no necessity, and by requiring writs to be dated on the day they are issued, instead of the first day of the next preceding term, will obviate difficulties with which every practising lawyer is well acquainted. Section two is made necessary by an old decision of our supreme court upon the present practice act; such partnerships, especially in our large cities and towns, are very convenient and

advantageous to the client, as well as the attorney, and there is no good reason why they should not be allowed as well as in any other business.

Section three may often be advantageous to a defendant when sued by a plaintiff in person with whom he has no acquaintance, and section four contains provisions which may frequently be of benefit to the defendant without injuring the plaintiff.

Section five is proposed because now a sheriff's return is conclusive in the same action upon both parties, however false or injurious in its consequences.

The object of section six is to enable the plaintiff to get judgment in one action against all the defendants guilty of a tort, who may live in the state; now it cannot be done unless process can be served upon them all in one county.

Section eight is proposed to save a useless form of expense, and section thirteen to save the necessity and expense of bringing two actions when one will answer every purpose.

Section twenty-two is proposed to prevent an embarrassment, and sometimes a total inability, which may often occur, in the collection of a just claim. Sections twenty-seven and thirty-one are proposed to save the delay now occasioned by the necessity of demanding oyer and bills of particulars, and also that in these cases the judgment record may furnish precise evidence of what was determined in the action. Where the common courts are used in the declaration, or where the defendant claims a set off, the record furnishes no such evidence, and the bill of particulars which may have been lost, or other uncertain evidence, must be resorted to. When a defendant claims a set off, he may now greatly delay the plaintiff by neglecting to give a bill of particulars until compelled by order of the court, although the plaintiff may have regularly have demanded it of him. These two sections render unnecessary the fifty-sixth and fifty-seventh sections of this practice act, and they are therefore included in the repealing clause of this act. The particular reason for section twenty-eight will be found by referring to 2d Pennington's Report, 628, 2d Halstead 32, 4 Harrison 9, and Spencer 127.

In the case of Spencer, the chief justice says that the court, while lamenting the injustice of the old rule, feel compelled by the force of precedents to adhere to it; but nothing but a legislative enactment can give an adequate remedy.

Sections twenty-nine and thirty will remove a good many perplexing difficulties familiar to lawyers.

Sections thirty-two, thirty-three, and thirty-four are designed to check the abuse of pleading a great number of needless spe-

cial pleas, and at the same time to obviate a difficulty which now often occurs in the pleadings subsequent to the plea by reason of being confined to one answer to the previous pleading, but being kept under the control of the court, the new liberty can be prevented from being abused.

Section thirty-five is made necessary by the proposed repeal in section ninety, of eighteen hundred and fifty-two.

Section thirty-six is intended to obviate the necessity of special pleas; a good pleader will now almost invariably use them, because if he plead the genoral issue with a simple notice of his special defence, the plaintiff may answer it on the trial by a case of which the defendant had no notice, and could not come prepared to meet.

The object of section thirty-eight is to get an admission before the trial of the execution of documents, whose execution is not disputed, and save the trouble and expense of bringing witnesses to prove them.

Section thirty-nine is designed to prevent a delay in entering up judgment after a verdict, which may sometimes by means of a prior confessed judgment defeat the plaintiff in the collection of his debt.

In the supreme court actions are tried in the different counties, but the judgment is entered at Trenton at the next term after the verdict, and sometimes nearly three months intervene between the trial and judgment; the new power is so guarded as fully to protect the rights of defendants.

Section forty-one is proposed to obviate a technical difficulty which may sometimes embarras or defeat the plaintiff in the collection of his judgment, by compelling him in actions in the supreme court to issue his execution first to the county where the venue is laid, whether there is any property there or not; after that is issued and returned, he may issue a testatum execution to another county, and after that an alias to another, and so on, although he may not in any one county find property sufficient. While this process is going on, the defendant may cover up his property by a prior levy under a confessed judgment. Every facility should be afforded to reach the defendant's property, especially since the law protects his person.

Section forty-two is proposed to save the expense of a new proceeding by scire facias to revive a judgment upon which the plaintiff has delayed for over a year and a day to issue execution

Any one who has witnessed the frequent nonsuiting on account of the variances between the pleadings and proof, thereby

compelling new actions to be brought, and the frequent failures of justice by mistakes in matters of form, will see the advantages of sections forty-three, forty-four and forty-six.

Section forty-five is proposed because now a party cannot amend his pleadings without special application to the court.

Section eighty-one is proposed to meet those cases where there is little or no dispute about the facts, and the case turns upon questions of law, making it preferable to have a trial by the court.

Section eighty-two is proposed to meet a class of commercial cases involving long accounts, and requiring the tedious and patient examination of many books, vouchers, and others papers, an examination which it is impossible for a jury to make, and in which the true balance can be much better ascertained by a good referee. The right to a trial by jury is nevertheless secured when either party insists upon it.

Section eighty three is proposed in order to protect the rights of a debtor, arrested for an alleged fraud against the abuse of a discretion which the law reposes in the judge, or commissioner, ordering the arrest. Such orders are frequently improvidently and unjustly made, and yet there is no redress. See Spencer's Reports, 364 and 476.

While giving every facility to reach the property of a debtor, his person should be protected against the abuse of these exparte orders for arrest.

Section eighty-four proposes to confer upon courts of law, powers which may often prove of great benefit, and in many cases may save the necessity and expenses of applying for relief to the court of chancery.

Section eighty-five is intended to discourage trifling and vexatious actions for slander and assault and battery, which are quite too frequent; in such actions a verdict for six cents will now subject the defendant to the payment of the whole costs, by reason of which many are brought that otherwise would never be heard of.

Section eighty-six will be understood by referring to the fifth section of the act relative to circuit courts, Revised Statutes, page 201.

Section eighty-seven needs no explanation; it is indispensable to obtaining the full benefit of the act.

In drawing the act, we have aimed at the greatest practicable brevity, and endeavored to omit all redundant words and expressions, and the frequent repetition, in different sections, of similar provisions which might be provided for by one section

at the conclusion. This course rendered necessary the introduction of sections eighty-eight and eighty-nine.

Section ninety proposes to repeal two supplements to the practice act, passed, one in eighteen hundred and fifty-two, and one in eighteen hundred and fifty-four. By the operation of those acts, in collection suits where there is no defence, a man's personal property may be sold from him by the sheriff in less than forty days from the service of the summons. This may possibly, in prosperous times, answer for a commercial community, where money is easy to be raised, but not even there in hard times; but in agricultural communities, such as the greater part of our state is composed of, it will operate with extreme oppression upon the honest men, able and anxious to pay but not able upon such short notice to raise the necessary means by a loan, or a sale of some of their property. They are perhaps good laws for the merchants of New York and Philadelphia, but very oppressive on our own citizens, and it is extremely doubtful whether the legislature would have passed them had their practical operations been explained. The argument in their favor is that it is necessary to shorten the time of obtaining judgment so as to prevent a dishonest debtor from defeating the collection of the debt.

This argument is fallacious, and the dishonest debtor cannot by these acts be prevented from cheating his creditors if so disposed; he may swear he has a defence and thereby delay judgment, which the honest debtor will not do, or the moment he is sued he may, by a confession of judgment, or sale, or mortgage, set his creditor at defiance.

More effectually to reach the property of the dishonest debtor, we submit herewith a supplement to the attachment act, being bill No. 6.

By a repeal of the supplements of eighteen hundred and fifty-two, and eighteen hundred and fifty-four, the practice will remain as fixed by the supplement of eighteen hundred and fifty-one, which made the time for obtaining judgment shorter by from three to five months, according to circumstances, than before then. The same section, ninety, proposes a repeal of all inconsistent acts, which may not perhaps be absolutely necessary, and yet we think it advisable, and also two sections of the practice act which will no longer be necessary if this act passes, being provided for by sections twenty-seven and thirty-one.

In many of the sections of this act authority is given to a judge to hear in vacation many motions and applications which now

must be heard in term time; this will in many respects be found to be of great practical benefit. It will expedite suits, and save expense, particularly in actions in the supreme court, enabling counsel in those cases to attend to the business promptly at or near their homes, instead of coming to Trenton and often waiting here several days before they can be heard.

It may often prevent injury to parties by enabling them to obtain immediate relief in many urgent cases where otherwise they would be compelled to wait until the regular term. By section eighty-seven we also propose to authorize the supreme court to increase, from time to time, as experience may prove it to be proper, the class of motions that may be heard before a judge in vacation.

In concluding our review of this bill, we cannot but express our belief, that if enacted it will be highly beneficial in its effects, and we hope it may prove acceptable to the bench and the bar. Under its operation, the duties and labors of the judges will be increased, and for a while it may occasion some inconvenience to the courts and the bar, by breaking in upon the old established order of things, but this inconvenience will be but temporary.

Bill No. 3, being an act concerning evidence, proposes a radical change in the law of evidence, by the abolition of all rules of incompetency, except confidence, tender age, unsoundness of mind at the time of testifying, and other excepted cases not believed to be within reason or the rule of admission.

The arguments advanced against rules of exclusion have been answered only by fears as to the practical effect of their abolition. The soundest legal philosophers who have commented on the common law rules, have universally condemned them, yet no change has been more cautiously introduced, none more dreaded by the conservative members of the profession.

In England, the 6th and 7th Vict., commonly called Lord Dennan's Act, removed the objection to the competency of a witness on the ground of interest, or crime, but if still left subsisting the incapacity of a party to a suit or action.

The English Law Amendment Society, and Chancery Commission, actuated by the great importance of the principle, and approaching any radical change of the rules of exclusion with great caution, inserted among the questions seeking practical information in regard to the working of the New York Code, the two following questions:

"*Eighth.*—Has the abolition of the rules regarding the in-

competency of witnesses, tended in your opinion to elicit the truth ?"

"*Ninth*.—Does the experience you have had of the admission of the evidence of interested witnesses, lead you to desire that the principle should be carried to its full extent, by making parties competent to give evidence in their own behalf?"

Replies were received from many eminent members of the profession in New York, a summary of whose opinions exhibits this remarkable fact, that while there were but two dissenting voices to the innovations *which had been made*, the majority were opposed *to that contemplated.*

In eighteen hundred and forty-nine, the state of Connecticut enacted that "no person shall be disqualified as a witness in any suit or proceeding at law, or in equity, by reason of his interest in the event of the same, *as a party or otherwise.* The commissioners of the state of New York, in a note to their amended code, say that they took occasion to inquire into the operation of this law, and they publish at length a reply from the Lieutenant-Governor of that State, giving a favorable account of it.

They further set out at length a report of a committee of the "Society for promoting the amendment of the law in England," a society composed of the most distinguished jurists in that country. The report, as might be expected, is a thorough examination and conclusive argument. The result is thus stated:

"Your committee, therefore, beg merely to convey to the society their decided opinion, that the time has now arrived when it has become expedient to enact that excepting in the case of actions for criminal conversation, which for obvious reasons should be excluded from any general rule, all parties *to the record, whether at law or in equity*, should be competent witnesses in their own favor, &c., and be liable to compulsory examination at the instance of their opponents."

It is needless to add, that the *amended* code of New York adopted these views, and enacted "that neither parties nor other persons, who have an interest in the event of an action or proceeding, are excluded."

Laws of a similar description have since been introduced into the reports of the revisors, and adopted by the legislatures in Kentucky and Ohio, and are believed to be in successful operation.

The able argument of the committee of the "Society for the amendment of the law in England," the action of the New

York Commissioners, following speedily the daring innovation of Lord Denman's Act, brought about the new Evidence Act in England, being the act of 14th and 15th Victoria, which has been in successful operation since November, eighteen hundred and fifty-one.

Under the second section of this act parties to the record are not only competent, but may be compelled to give evidence for, or against, themselves. After the thorough examination which has been made of the matter, and the practical results which have followed, both in this country and England, the practicability of removing the rules of incompetency, and admitting all means of information, subject to such degree of credit as the jury may attach to it, can no longer be said to be an experiment.

It is not only from the great array of authority which canbe produced to sustain the innovation, and the practical results which our best information leads us to believe have attended the alteration, that it is recommended, but also because it is a change founded in common sense, and which will simplify, and abridge, and lessen the expense of legal proceedings, as much as any change in any department of remedial law.

It will, in the opinion of the commissioners, tend greatly to attain one of the important objects for which they were appointed, to wit—"To render the administration of justice more simple, speedy and economical."

In a recent case in England, a learned judge, in commenting on the effect of the 14th and 15th Victoria said, 'he believed that the effect of the new law will be to put an end altogether to false claims, and false defences in civil courts."

While, as has been before said, acts of a similar description have been for some time in operation in four of our own states, and since November, 1851, in England, all the information we have obtained leads us to believe that the practical effect has been highly useful in promoting the speedy and impartial administration of justice.

It is believed that many just claims are recovered, which, under the old rules of exclusion could not be substantiated, and many false claims manifested in their true light, which might otherwise have been successful.

The introduction and permanent establishment of such a radical change in the rules of evidence, by the conservative government from which we derived the main body of our laws, is an argument which has led even the most cautious of the profession to look upon it in a favorable light.

We have taken the first step in our state already. By the second section of an act of the legislature of this state, approved the first day of March, 1849, entitled "A supplement to the act 'An act to regulate the practice of courts of law, approved the 15th day of April, 1846,'" it is provided, "that in all civil actions in any court of record in this state, the parties thereto shall hereafter be permitted to be sworn, and give evidence therein *when called as witness by the adverse party in such action*; provided, that no party to a suit shall be compelled to be sworn or give evidence in any action wherein usury is set up as a defence, or where the action is brought to recover a penalty or to enforce a forfeiture; and provided further, that this act shall not extend to any action brought upon a contract made before before the fourth of July next."

This section has not been of that value which at first it was supposed by many it would be; and the reason of it is mainly to be found in the fact that the act did not go *far enough*. It is too dangerous to call a witness who is a party, when any other evidence, no matter how inferior in probative power, may be had, for if he disappoints the party calling him, there is no means left of contradicting the facts testified to, or showing them to be colored by interest or prejudice, they being within the knowledge of the parties only. It may be alleged by those in favor of stopping where this act left the law, that parties when testifying for themselves are in too great temptation.

Without here repeating the other answers to this argument which have been heretofore advanced by others, is it not apparent that while even from an honest party called under the present law, there may be danger of irremediable wrong, the temptations to perjury are much greater than they would be with the change we propose? The adverse party, called as a witness, has only to state the facts as he wishes them to appear, and not call his adversary on the stand, and the case is lost to the party calling him. *His* mouth is closed who only could contradict them. If, on the other hand, the adverse party, called as a witness, gave his testimony with the knowledge that his opponent would present himself, if he failed to get the truth out of him, he would be much more likely to tell the whole truth. So that the law as it now stands, is almost *valueless. It is too dangerous to use.* It needs the proposed change to make it what it purports to be, and if of any value as it now stands, it needs the proposed admission of parties in their own favor, *to prevent the present law from becoming the fruitful source of perjury.* The proposed change is necessary to avoid,

and will in a great measure avoid, the principal evil which its enemies allege it will create.

It is hardly necessary to notice the other rules of exclusion abolished by this act, that of infamy and infidelity.

It is apparent that the infamous and the infidel are admitted on the same broad principle that has been laid down as the fundamental rule in favor of abolishing rules of exclusion.

A jury can judge better with the whole relevant testimony before them, than with any part, however carefully selected. Twelve men facing the witness, and hearing evidence of his religious opinions, or his criminal actions, and knowing his bias, can better judge the credit to be attached to his testimony, than any abstract rules of law.

The filter which the common law, by means of rules of exclusion, applied to prevent impurity from mingling with the stream of evidence, may to some degree have attained that object; but unfortunately for the thirsty seeker after justice, it was not sufficiently porous to admit the passage of the stream. It is hardly necessary to say that while we remove *the incompetency* in these cases—that while we ask the law to deem it possible, as we do in ordinary transactions, that such persons may tell the truth when unbiased, and even probable when it is their interest to do so, we elevate them no particle in the scale of credibility, remove no stigma from their position, but rather add to it, by making it a subject of impeachment before the jury, *proclaiming* them as undeserving the credit due to their fellow citizens.

We still retain the exclusion where the witness is convicted of perjury, for the reason that our statute, in fixing the punishment of the crime, adds as a necessary part a perpetual incompetency to testify in any court, unless the judgment of conviction be reversed.

The common law excludes parties and witnesses interested in the event of any suit, on the ground that their interest may tempt them to vary from the truth, while those parties, or those witnesses, may be the only persons acquainted with the true state of the matter in controversy, and yet it admits witnesses interested in the questions in issue, and equally liable to the same bias. It also admits parents and children, brothers and sisters, and all other blood kindred, to testify in behalf of each other; the testimony of a son is received to shield his father from pecuniary ruin, which would in the end fall upon himself, or to save him from the penitentiary, or the gallows. In these, and many similar cases that might be put, who does not see

that the bias must necessarily be greater than any arising from mere pecuniary interest?

While *they* are admitted, leaving it to the jury from all the circumstances of the case to judge of their credibility, a witness having only a sixpenny interest in the event of a suit, and a party to the record having really no interest, are excluded.

So, too, in many actions the common law admits parties to testify in their own behalf from the necessity of the case. To mention only one of many: In an action by a passenger against a railroad company, for the loss of his trunk, he is competent to prove the description and value of its contents; but if a man enters another's house, and cruelly assaults him, leaving him maimed for life, and no witness of the transaction be present, the common law rule of exclusion would leave him without any redress. So in cases of daily occurrence, as of lending or paying money, and various similar transactions, when no witness is present, and no writing taken, the party is excluded, and often loses his money or property; the reason from necessity is strong in these cases, as in those where the law allows it to create an exception to the general rule. So in the court of chancery, where the answer is responsive to the allegations in the bill of complaint, it is evidence for the defendant, and to destroy its effect the complainant must overcome it by the testimony of two witnesses or what is equivalent thereto, and cannot himself be a witness for that purpose. Why have one rule at law, and another in equity, and why allow the defendant to testify in his own behalf, and not the complainant? This exclusion of the complainant often works great injustice, and there is no good reason why both parties should not be placed on an equal footing.

Defect of religious belief will absolutely exclude our own citizens from testifying, while Mahometans, Gentoos, and other Heathens, may be admitted.

A conviction of larceny above the value of six dollars is an absolute ground of exclusion, although the offence may have been committed years ago, and the offender long since have truly repented, and now enjoy the entire confidence of all who knew him, while the most abandoned profligate, or notorious liar that walks our streets is a competent witness.

Such are some of the strange anomalies in our law of evidence.

The ends of justice demand that our judicial tribunals should receive all the light upon the matter in controversy that can be obtained from human testimony, leaving it to their intelli-

gence and discernment to give it the proper weight; thus they will be more likely to arrive at the truth than by adhering to the present arbitrary and anomalous rules of exclusion; the difficulty of properly weighing the testimony will be no greater than in many similar cases where they are now daily called upon to perform the same duty.

The fifth section in this act is introduced for the purpose of affording greater facilities in showing to the jury the credit to be given to a witness, while opening the door for the admission of all relevant testimony, it should be opened equally wide for attacking its credibility.

The sixth section is proposed for the purpose of settling a vexed question about which learned courts and judges differ; the weight of reason, if not of authority also, is decidedly in favor of the rule as declared in this section. (See 1st, Greenleaf's Evidence, 6th Ed. Secs. 451—460.)

The seventh section will tend very much to lessen the expense of litigation by enabling the parties to ascertain precisely before the trial what will be admitted, and what controverted, and thus save the expense of many unnecessary witnesses, and shorten the trial.

It can also be advantageously used in many cases to avoid the necessity of filing a bill in chancery for discovery.

Bill No. 4, being a supplement to the act to prevent fraudulent trusts and assignments, is intended to reach a difficulty arising under this act similar to that referred to in the remarks upon section eighty-three of Bill No. 2; the same remarks apply to both, and what was there said need not be repeated, but we will add that the proceedings under this act are in lieu of a bill for discovery and relief in chancery, and being of that character, it is very appropriate that the appellate court should have power to review the facts as well as the law.

Bill No. 5, relative to the abatement of actions, requires very little explanation. As the law now is, if a trespass be done to a man's person, or freehold, no matter how aggravated, or serious in its consequences, the death of either party is an effectual bar to the recovery of any compensation for the injury.

It is often said that there is no wrong without a remedy, but in such cases the most flagrant wrongs are remediless, the result of adhering to an antiquated maxim, that "actio personalis moritum cum persona." We cannot perceive any reason why the law should not be at once made to conform to the dictates of natural justice, and the first two sections of the bill are intended for that purpose.

The third section applies to actions upon contracts, as well as for wrongs; as the law is, if issue be not joined before the death of the party, the action abates; the joining of issue may be delayed a long time in a variety of ways, and if the action then abates, the statute of limitations is often a bar to a second one.

By the filing of the declarations, which may be at once upon the return of the writ, the defendant is apprised of the nature of the claim, and there is no reason for abating the action if the death happens after that.

Bill No. 6, being a supplement to the attachment act, was referred to in the remarks upon the last section of bill No. 2; enough was there said to explain the reason for reporting this bill, and no further remarks are necessary. This concludes the explanations which we deem necessary of the bills herewith reported, and we trust enough has been said to explain their scope and design. We cannot flatter ourselves that they are free from imperfections and omissions, and submit them to the indulgent consideration of the legislature.

In the outset of our labors we considered the very important question whether it would be advantageous to abolish the court of chancery, and the different forms of actions, and provide that all litigation, whether of a legal or equitable nature, should be conducted according to the same forms of proceedure. After a careful inquiry into the practical operations of the New York code, where that plan has been adopted, by sweeping away the whole of their old system, and introducing an entire new code of great length, we were entirely satisfied that it would be extremely unwise to follow their example; we feel fully persuaded that by so doing, instead of "rendering the administration of justice more simple, speedy and economical," we would vastly increase the doubts, uncertainties, and delays of the law, and add immensely to the costs of litigation.

Such is the uncertainty of language, so liable is it to different constructions, even when carefully used by accurate scholars and logicians, so short-sighted are the most far-seeing, that the wisest men and ablest lawyers would find it impossible to frame an entire new code of laws, that would provide for hundreds of new cases continually arising, or that would be so clear and explicit in all its details as to leave no room for opposite opinions and conflicting decisions. As an example, the New-York code begins by defining an action in these words:

"An action is an ordinary proceeding in a court of justice, "by which a party prosecutes another for the enforcement or protection of a right, the redress or prevention of a wrong, or the punishment of a public offence."

Simple and intelligible as this appears, their courts have been several times called upon to tell what it means, and have given various and conflicting interpretations.

A judge in one district decides one way, and in another districts an opposite rule is established. We might add similar illustrations from almost every part of their code.

The first code was adopted in eighteen hundred and forty-eight, and an amended one in eighteen hundred and forty-nine; they will be fortunate if the process of amending and perfecting does not furnish employment to their legislature for the next generation.

The reported decisions of practice cases arising under their new code, have already, in six years, outnumbered all the previous reported practice decisions in their law courts, and all the reported law decisions, upon all questions, in our own state. It will be many years before the practice under this code can be considered as at all in a settled state, and by that time the code itself will be well nigh buried under the accumulated mass of amendments and conflicting decisions.

All the delay, vexation, and expense, of settling their system, must fall upon such of their citizens as may unfortunately be obliged to invoke the aid of their courts.

We had one of two courses to adopt; either to recommend the adoption of an entire new system, or, while adhering to the common law system, with its advantages derived from the accumulated wisdon and experience of the judges and lawyers of England and our own country, to recommend such improvements as experience and reflection had suggested.

We felt it to be our duty to adopt the latter, but we have nevertheless recommended several provisions which will enable parties to obtain in courts of law that relief which can now only be obtained in the court of chancery.

We have carefully examined the reports of the commissioners appointed for similar purposes in our sister states, and England, and our labors have been lightened by theirs' who have preceded us. Wherever we considered it best we have used both their language and ideas.

There is manifest advantage in so doing; we will have the benefit of the cotemporaneous judicial constructions of other courts, which will relieve us in a measure from an evil always

incident to even the most salutary reforms. Although we felt unwilling to adopt the New York plan of codifying, yet justice demands of us to acknowledge the many valuable provisions and suggestions in their code, of which we have availed ourselves so far as applicable to a common law system.

One of the objects expressed in the resolutions under which we were appointed, is "that the appointing power, so far as practicable, be restored to the people."

We differed in our opinion as to the construction to be given to this part of the resolutions, a part of the commission holding that it left us no discretion as to the expediency of a popular election in every case, and the rest believing that we were at liberty to take the question of expediency into consideration. In one sense of the word it certainly is "practicable" to elect every officer in the state, military as well as civil, by a direct popular vote, but in another it is not.

Differing thus in opinion, we all concluded not to make any recommendation on this subject, but to leave it to the wisdom of the legislature to determine what changes should be made in the mode of appointing to office, and adopt such amendments of the constitution as may be necessary for that purpose.

We felt the more willing to take this course since our recommendations could accomplish nothing unless adopted by the legislature, and no delay can be occasioned; whatever the legislature may wish to be done on the subject, can still be easily carried through at the present session, and if the legislature desire that we prepare any bills, or amendments of the constitution, for that purpose, we will cheerfully do it as soon as the request is made.

We are happy to be able to say that we concur in all the views expressed in this report, and in all the provisions of the accompanying bills, except upon the question of allowing parties to testify in their own behalf, upon which one of the undersigned dissents, not being entirely satisfied to recommend that change in the law of evidence.

All of which is respectfully submitted.

MARTIN RYERSON,
JOHN P. STOCKTON,
JOS. F. RANDOLPH,

TRENTON, January 15, 1855.

COPY OF JOINT RESOLUTIONS REFERRED TO IN THE FOREGOING REPORT.

Joint Resolutions for the appointment of commissioners to report amendments of the system of jurisprudence of this state, and provide for the election of certain officers by the people.

WHEREAS, it has been represented that the citizens of this state are desirous that such changes should be made in its entire system of legal and equitable jurisprudence as will render the administration of justice more simple, speedy and economical, and also that the appointing power, so far as practicable, be restored to the people.

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That the Governor be and he is hereby authorized to nominate and appoint, with the advice and consent of the senate, three discreet commissioners, whose duty it shall be to prepare such acts and such amendments to the constitution of this state as may be proper and necessary to carry into effect the objects expressed in the preamble to these resolutions, and submit the same to this or the next legislature.

2. *And be it resolved*, That the said commissioners shall receive the sum of five dollars each for every day they are actually employed in the performance of the duties hereby imposed upon them, and payment of such necessary travelling expenses as they may actually incur therein, to be paid to the said commissioners, respectively, by the treasurer of this state, upon an appropriation being made for that purpose by law.

Approved March 3, 1854.

A true copy,

THOS. S. ALLISON, Secretary of State.

On motion of Mr. Allen,

The reading of the report and bills was dispensed with, and the same referred to the Committee on the Judiciary.

On motion of Mr. Allen,

Five hundred copies of said report and bills were ordered to be printed for the use of the Senate.

Mr. Roberts moved that the report and bills be printed under the direction of the Judiciary Committee.

Which motion was agreed to.

Mr. Laird, from the Committee on Corporations, to whom was referred

The bill entitled,

An act to incorporate the Hackettstown Mining and Manufacturing Company;

Also,

An act to incorporate the Morristown Gas Light Company.

Reported the same, severally,
Without amendment.

Mr. A. V. Bonnell moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Farmers' Bank of the county of Hunterdon at Flemington.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Roberts, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Stockton Land Association.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Roberts, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to authorize the erection of a Bridge over Coopers Creek.

Which was read for the first time by its title, and ordered to have a second reading, and referred to the Committee on Judiciary.

The bill entitled,

An act to incorporate the Bordentown Reservoir and Water Company,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

Mr. Allen gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Great and Little Egg Harbor Turnpike Road Company.

Mr. Roberts gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Farmers and Mechanics Bank at Camden.

Mr. Franklin gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to carry into effect the last will and testament of Jedediah Elwell, deceased.

Mr. Allen gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A further supplement of an act for the more easy partition of lands held by co-partners, joint tenants and tenants in common.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, as follows:

HOUSE OF ASSEMBLY, January 15, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly has passed the following concurrent resolution, and request the concurrence of the Senate therein:

Resolved, (Senate concurring), That each new member of the Senate and House of Assembly be furnished with a copy of the Revised Statutes, and also with a copy of Gifford's Statutory Constitution and Index, to be delivered on his own order.

PETER D. VROOM, Clerk.

Which was taken up and read, and

The concurrent resolution concurred in by the Senate.

Ordered, That the Secretary inform the House of Assembly, that the Senate has concurred in the said concurrent resolution.

Mr. Chetwood gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to increase the capital of the State Bank at Elizabeth.

Mr. Allen, from the committee on the Judiciary, to whom was referred

The bill entitled,

An act to authorize a subscription on the part of the State, to a new edition of Elmer's Digest of the Laws;

Also,

The bill entitled,

An act to authorize the construction a draw or swing bridge over the Elizabethtown Creek;

Reported the same, severally,
Witout amendment.

Mr. Franklin, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to an act entitled "An act to authorize the Trustees of the Woodbury Methodist Episcopal Church to sell part of their Church Lot," approved March 2d, eighteen hundred and fifty-four.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Hoxsey, from the commlttee on the Judiciary, to whom was referred the documents accompanying the Governor's message, reported as follows:

The Committee of the Judiciary to whom was referred the Governor's Message and accompanying documents, report to the Senate, that they have ordered to be published with the

Message the Report of the Commissioners on Pilotage, and the Adjutant and Quarter Master General's reports.

The Reports relating to the State Prison and Asylum are recommended to be printed separate from the Message, as are also the Reports relating to the Geological Survey of the State.

With the papers accompanying the Message were the resolutions of the State of Connecticut in relation to the repeal of the Missouri Compromise.

Also, the resolutions of the State of Rhode Island in relation to cheap postage; also, the copy of the act of the Legislature of the said last mentioned State, certain resolutions passed by the Legislature of that State, reversing and annulling the judgment against Thomas W. Dorr; also, the opinion of the Judges of the Supreme Court of the State touching the constitutionality of said act. Also, the resolutions of the Legislature of said State respecting the officers, soldiers, and sailors who served in the war of 1812; also, the resolutions of the said State concerning the Nebraska Bill, &c.; also, the copy of an act to reverse and annull the judgment of the Supreme Court of Rhode Island, rendered against Thomas W. Dorr, for Treason; and, the resolutions of the State of Massachusetts in relation to the officers, soldiers, and others, who served in the war of 1812.

All of which said papers your committee recommend to be filed in the office of the Secretary of State,

Which report was read and accepted.

Mr. Martin moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which was agreed to, and so much of the said rule suspended accordingly.

Mr. Martin then asked and obtained leave to introduce

A bill entitled,

A supplement to the act entitled "An act to incorporate the Millstone and New Brunswick Railroad," passed the twenty-seventh day of February, eighteen hundred and thirty-seven;

Which was read for the first time by its title, ordered to have

a second reading, and referred to the Committee on Corporations.

On motion of Mr. Stults,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Laird, from the Committee on Corporations, to whom was referred

The bill entitled,

A supplement to the act entitled "An act to renew and re-establish an act to incorporate the Passaic Water Company," approved February 13th, 1849, and supplemental thereto, approved February ninth, eighteen hundred and fifty-four.

Reported the same
Without amendment.

The bill entitled,

A further supplement to the act entitled "an act to incorporate the Newark Mutual Fire Assurance Company," passed the fourth day of November, in the year of our Lord one thousand eight hundred and eleven;

Was taken up read a second time, the first and only section

thereof considered and agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. Howell gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A supplement to an act entitled "An act to establish the Cumberland Bank at the town of Bridgeton, in the county of Cumberland, New Jersey," passed the fifteenth day of February, eighteen hundred and sixteen.

Mr. Chetwood gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A bill to incorporate the Newark City Bank.

Also,

A bill entitled,

A further supplement to the act entitled, "An act to erect and establish a Banking and Insurance Company in the town of Newark."

Mr. I. Bonnell gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to renew the charter of the Sussex Bank, with amendments.

Mr. Robertson gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to renew the charter of the Morris County Bank, with amendments.

Mr. Depew gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A supplement to an act entitled, "An act to incorporate the Bergen County Railroad Company."

On motion of Mr. Howell,

The Senate then adjourned.

WEDNESDAY, January 17, 1855.

At 10 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The Journal of the previous day was read and approved.

Mr. Allen presented a petition from C. A. Dupuy and others, citizens of the counties of Burlington and Atlantic, representing that the facilities for travel and for the transportation of freight, which the Camden and Atlantic Railroad offers, the petitioners believe are greatly impaired by the condition of the common roads—that the condition of the county and the excellent materials for turnpike roads with which it abounds would render their construction comparatively easy—and praying the passage of an act authorizing the construction of a turnpike road from Weymouth station, on said railroad, to Tuckerton, in the county of Burlington.

Which was read and referred to the committee on Corporations.

Mr. Laird, from the Committee on Corporations, to whom was referred

The bill entitled,

An act to incorporate the Stockton Land Association;

Also,

The bill entitled,

An act to incorporate the Farmers' Bank of the county of Hunterdon at Flemington.

Reported the same, severally,
Without amendment.

The same Senator, from the same Committee, to whom was referred the petition from the Ladies of the Trenton Society for the relief of respectable aged indigent widows, &c., reported

A bill entitled,

An act to incorporate the Indigent Widows and Single Women's Home Society, of the city of Trenton;

Which was read a first time by its title, and ordered to have a second reading.

The same Senator, from the same Committee, to whom was referred

The bill entitled,

A supplement to the act entitled "An act to incorporate the Millstone and New Brunswick Railroad," passed the twenty-seventh day of February, eighteen hundred and thirty-seven,

Reported adversely to said bill, and recommended to the Senate that said bill do not pass.

Mr. Hoxsey, from the Committee on the Judiciary, to whom was referred

The bill entitled,

An act to authorize the erection of a bridge over Cooper's Creek;

Also,

The bill entitled,

A supplement to an act entitled "An act to authorize the Trustees of the Woodbury Methodist Episcopal Church to sell a part of their Church Lot," approved March second, eighteen hundred and fifty-four;

Reported the same, severally,
Without amendment.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to extend the charter of the Farmers' Bank of New Jersey,
With amendments;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to extend the charter of the Burlington County Bank at Medford;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Burlington Bank;

Which was read for the first time by its title, ordered to have

a second reading, and referred to the Committee on Corporations.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to extend the charter of the Mechanic's Bank at Burlington;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Chetwood, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to increase the capital stock of the State Bank at Elizabeth;

Which was read a first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

Mr. Howell, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to an act entitled, "An act to establish the Cumberland Bank, in the town of Bridgeton, in the County of Cumberland, New Jersey," passed the fifteenth day of February, eighteen hundred and sixteen:

Which was read the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

Mr. Roberts, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Farmers and Mechanics Bank at Camden:

Which was read a first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

Mr. I. Bonnell, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to renew the charter of the Sussex Bank, with amendments:

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

Mr. Depew, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to an act entitled, "An act to incorporate the Bergen County Railroad Company;"

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mt. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Great and Little Egg Harbor Turnpike Road Company:

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. I. Bonnell moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A further supplement to the act entitled "An act to incorporate the Sussex and Warren Railroad Company," approved February twenty-first, eighteen hundred and fifty-one:"

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A further supplement to an act entitled, "An act for the more easy partition of lands held by co-partners, joint tenants, and tenants in common," approved April sixteenth, eighteen hundred and forty-six:

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Judiciary.

Mr. Laird gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to confirm certain conveyances of land lying in the township of Freehold, in the county of Monmouth.

Mr. Roberts gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the New Jersey Ocean Steam Navigation Company.

Mr. Hoxsey gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A Supplement to an act entitled "An act to secure to creditors an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A further Supplement to the act entitled "an act to incorporate the Newark Mutual Fire Assurance Company," passed the fourth day of November, in the year of our Lord, one thousand eight hundred and eleven;

Also

The bill entitled,

An act to incorporate the Bordentown Reservoir and Water Company:

And find the same correctly engrossed.

The bill entitled,

A further Supplement to the act entitled "an act to incorporate the Newark Mutual Fire Assurance Company," passed the fourth day of November, in the year of our Lord one thousand eight hundred and eleven,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

YEAS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Roberts, Robertson, Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary car-

ry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Bordentown Reservoir and Water Company;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

YEAS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows:

HOUSE OF ASSEMBLY, January 16, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly has passed the following concurrent resolution, and request the concurrence of the Senate therein:

Resolved, (Senate concurring,) That the State Librarian be directed to transmit to the New York Law Institute, in the city of New York, as complete a sett of all the public acts and statutes of this state, as can conveniently be furnished from the copies thereof now in the possession of the state; and that copies of the subsequent public acts and statute of the state, when

published, be also forwarded to the Librarian of the said Institute.

PETER D. VROOM, Clerk.

Which was taken up and read, and

The concurrent resolution concurred in by the Senate.

Ordered, That the Secretary inform the House of Assembly, that the Senate has concurred in the said concurrent resolution.

Mr. Robertson, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to renew the charter of the Morris County Bank, With amendments;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Chetwood, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A further supplement to the act entitled "an act to erect and establish a Banking and Insurance Company in the town of Newark and county of Essex," passed February seventeenth, eighteen hundred and four;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Robertson, on behalf of Mr. Rea, moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator, on behalf of Mr. Rea, then asked and obtained leave to introduce

A bill entitled,

An act increasing and defining the powers of the Rifton Manufacturing Company, in certain particulars.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

On motion of Mr. I. Bonnell,

The Senate then adjourned.

At three o'clock the Senate met.

Mr. Martin gave notice that he would to-morrow, or on some future day, ask leave to introduce

A bill entitled,

An act to repeal a supplement to an act entitled "an act for the preservation of sheep," approved April fourteenth, eighteen hundred and forty-six.

Mr. Laird gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Freehold Banking Company.

Mr. I. Bonnell, on behalf of Mr. Rea, gave notice that he

would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate a Bank at Hackettstown, Warren County.

Mr. Laird, from the Committee on Corporations, to whom was referred

The bill entitled,

An act to extend the charter of the Mechanic's Bank at Burlington;

Also,

The bill entitled,

An act to extend the charter of the Farmers' Bank of New Jersey,
With amendments;

Also,

The bill entitled,

An act to extend the charter of the Burlington County Bank at Medford;

Also,

The bill entitled,

An act to incorporate the Farmers and Mechanics Bank at Camden:

Also,

The bill entitled,

A further supplement to the act entitled "an act to erect and establish a Banking and Insurance Company, in the town of Newark, in the county of Essex," passed February seventeenth eighteen hundred and four;

Also,

The bill entitled,

An act to incorporate the Great and Little Egg Harbor Turnpike Road Company;

Also,

The bill entitled,

An act to incorporate the Burlington Bank;

Also,

The bill entitled,

A supplement to an act entitled, "An act to incorporate the Bergen County Railroad Company;"

Also,

The bill entitled,

A further supplement to the act entitled "An act to incorporate the Sussex and Warren Railroad Company," approved February twenty-first, eighteen hundred and fifty-one:"

Also,

The bill entitled,

An act to renew the charter of the Sussex Bank,
With amendments;

Also,

The bill entitled,

A supplement to an act entitled "An act to establish the Cumberland Bank at the town of Bridgeton, in the county of Cumberland, New Jersey," passed the fifteenth day of February, eighteen hundred and sixteen;

Also,

The bill entitled,

An act to increase the capital of the State Bank at Elizabeth;

Also,

The bill entitled,

An act to renew the charter of the Morris County Bank,
With amendments;

Reported the same, severally,
Without amendment.

Mr. Allen moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which was agreed to, and so much of the said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Bordentown Banking Company;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Hoxsey, from the minority of the Committee on Public Printing, presented the following Report:

REPORT OF THE MINORITY OF THE COMMITTEE ON PUBLIC PRINTING.

The undersigned of the Joint Committee of the two Houses upon the Public Printing, ask leave to submit the following report:

That the fourth section of the act entitled "An act relative to the public printing," approved February ninth, eighteen hundred and fifty-four, provides for the present and future publication of the law and chancery reports of this state; and that

your committee deem it inexpedient and injurious to the public interest to alter or repeal the same. By that section of said act, ample means are provided for the publication of said reports, and that the effect of having them published from year to year in a uniform and proper manner, will be a great improvement upon the manner heretofore adopted, of changing the publishers every year, by which means the reports have heretofore been published without uniformity, upon exceedingly poor paper, and with poor type, in a manner quite discreditable to the jurisprudence of the state. Your committee, therefore, recommend that the law in relation to the publication of the law and chancery reports, remain unchanged.

Your committee, regarding the printing of the journals, and other printing matter, of small importance—the journals, other than those deposited in the state department, being regarded as of little more importance than waste paper—recommend that the balance of the public printing, of which the journals are the principal items, be contracted for by any person or persons who may choose to print them for the lowest price. Your committee regard the manner in which they have been heretofore printed, as an excellent attempt at mere book-making, at the expense of the state, that it should be controlled and prevented by the legislature; it is thought that a more compact and economical publication thereof, by contract, will be for the great pecuniary benefit of the state.

Your committee, therefore, recommend the passage of the accompanying bill for the purpose of providing for the printing for the current year, entitled "An act relative to the public printing."

THOS. D. HOXSEY,
Minority of said Committee.

Which report was read,

And,

On motion of Mr. Swain,

The report and bill laid on the table.

Mr. Smith offered the following concurrent resolution:

Resolved, (Assembly concurring), That so much of the Gov-

ernor's Message as refers to the Census, be referred to a joint committee of both houses,

Which was read and agreed to.

The President appointed

Messrs. Smith and Robertson said committee on the part of the Senate.

Ordered, That the Secretary inform the House of Assembly of the adoption of said resolution, and request their concurrence therein, and the appointment of a similar committee.

The bill entitled,

An act to incorporate the Morristown Gas-light Company;

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

Mr. Hoxsey offered the following resolution:

Resolved, That the specially incorporated Banks who now have applied to the Legislature for extending their act of incorporation, shall lay upon the desk of each member of the Legislature an exact and full copy of their original acts of incorporation, with the supplements thereto, before the Senate will proceed to the consideration of their application.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (President) A. V. Bonnell, Depew, Hoxsey, Laird, Robertson, Somers—7.

NAYS—Messrs. Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—11.

So said resolution was not agreed to.

The bill entitled,

A supplement to the act entitled "An act to renew and re-

establish an act to incorporate the Passaic Water Company," approved February 13th, 1849, and supplemental thereto, approved February ninth, eighteen hundred and fifty-four,

Was taken up, read a second time, considered by sections and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to authorize the construction of a draw or swing bridge over the Elizabethtown Creek,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed, and have a third reading.

Mr. Chetwood, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Newark City Bank.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Franklin, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to authorize a trustee therein named to sell certain real estate, late of Jedediah Elwell, deceased;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

On motion of Mr. A. V. Bonnell,

The Senate then adjourned.

THURSDAY, January 18th, 1855.

At 10 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The Journal of the previous day was read and approved.

The President laid before the Senate the following communication:

To the Hon. Wm. C. Alexander,

President of the Senate of New Jersey—

SIR:

I am desired, in behalf of the New Jersey Historical Society, to invite the members of the honorable body, over which you preside, to attend the annual meeting of the Society, in the City Hall, this day at 12 o'clock.

Very respectfully,

Your obd't. servant,

ARCHER GIFFORD.

Trenton, Thursday, January 11, 1855.

Which was read, and
The invitation accepted.

The President also laid before the Senate the following communication:

TRENTON, January 18, 1855.

To the Honorable, the Senate of New Jersey:

GENTLEMEN :

In the name of Ex. Com. of the N. J. Teacher's Association, I respectfully invite you to be present at their sessions, to be held in the Hall of the Assembly, on Thursday and Friday evenings, of this week.

On Thursday evening, an address is expected from Robert L. Cook, Esq., *Pres.* of the association; and on Friday evening, another from Hon. Henry Barnard, of Conn.

It is expected that both addresses will have a practical bearing upon the great cause of popular education in our state. The eyes of our best educators are now fixed with intense interest upon the education system of N. J., and they cannot doubt that in a matter of such transcendent importance they have the warmest sympathies of those who compose our Legislature.

I have the honor to be, Gentlemen,
Your obedient servant,
DAVID COLE,
Cor. Sec. N. J. State Teachers Asso.

Which was read;

And,

On motion of Mr. Hoxsey,
The invitation was accepted.

Mr. Chetwood presented a memorial from John J. Chetwood, and others, citizens of Elizabethtown, in the county of Essex, asking for an increase of the capital of the State Bank at Elizabeth;

Which,

On motion of Mr. Chetwood,

Was laid on the table, without reading.

Mr. Allen presented a petition from George W. South, and others, citizens of the county of Burlington, asking for the incorporation of a Bank, to be located in the city of Burlington:

Which,

On motion of Mr. Allen,

Was laid on the table, without reading.

Mr. Cowperthwaite presented a petition from Andrew J. Allen, and others, citizens of the counties of Ocean and Burlington, representing that a turnpike road from New Egypt to Jacobstown is much needed, and would conduce to the public good—and praying the passage of an act to incorporate said turnpike road company from New Egypt to Jacobstown, which passed the House of Assembly at the last session.

Which was read and referred to the Committee on Corporations.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A supplement to the act entitled "An act to renew and re-establish an act to incorporate the Passaic Water Company," approved February 13th, 1849, and supplemental thereto, approved February ninth, eighteen hundred and fifty-four;

Also,

The bill entitled,

An act to incorporate the Morristown Gas Light Company;

Also,

The bill entitled,

An act to authorize the construction a draw or swing bridge over the Elizabethtown Creek;

And find the same to be correctly engrossed.

Mr. Laird, from the Committee on Corporations, to whom was referred

The bill entitled,

An act to incorporate the Bordentown Banking Company,

Reported the same without amendment.

Mr. Martin, in pursuance of notice heretofore given, asked asked and obtained leave to introduce

A bill entitled,

An act to repeal part of a supplement to an act entitled "an act for the preservation of sheep," approved April fourteenth, eighteen hundred and forty-six;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture.

Mr. Roberts, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the New Jersey Ocean Steam Navigation Company;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Laird, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to confirm certain conveyances of land lying in the township of Freehold, in the county of Monmouth.

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, as follows:

HOUSE OF ASSEMBLY, January 17, 1855.

Mr. President:—

I am directed to inform the Senate that the House of Assembly have concurred with the Senate in their coucurrent resolution upon "so much of the Governor's Message as relates to the Census," and have nominated the following committee; and, that Messrs. Gregory, Smith and Voorhees have been appointed such Committee on the part of the House.

PETER D. VROOM, Clerk.

Mr. Hoxsey from the majority of the Committee on Finance, to which was referred so much of the Governor's Message as relates to the subjects of Banks and Banking, presented the following report:

The Committee on Finance, to whom has been referred that portion of the Governor's Message in relation to Banks and Banking, report

That the decided and vigorous argument and opinions of his Excellency upon this question of paramount importance, are worthy of, and in keeping with the principles upon which he was elected; and your committee do not hesitate, cordially to concur with his views, and recommend them to the careful consideration of the Legislature, as embodying sound and statesman-like views, worthy of an Executive of a free people, claiming to live in a land of equal laws and privileges. Your Committee call the attention of the Senate to the fact, that at the Democratic State Convention of 1850, which nominated Governor Fort, a series of resolutions were adopted as their guide, or principles of the Democratic party, which had been essentially in a minority before that time, down to 1837. The Democratic party having destroyed its influence in that year by assenting to the passage of a great number of Bank incorporations, which soon after, all failed, involving the citizens of the State in great loss, and dooming the Democratic party to the obscurity it merited for deserting an important cardinal principle. Prominent and paramount to all the other principles promulgated by the Convention of 1850, was the one pledging the Democratic party to a hostility to special Bank incorporations. Upon that resolution principally, the Democratic party politically revolutionized the State. The annual messages of His Excellency, Governor Fort, show a manly, decided, and dignified hostility to special Bank incorporations, asserting that in all cases Banks should deposit with the State ample security for the redemption of Bank notes issued by authority of the State, and by the application of the veto power in 1853, he defeated several renewals of Bank charters. His Message abounding with plain and comprehensible arguments, bidding defiance alike to sophistry and falsehood. It is with pleasure that your committee can in equal terms commend the Inaugural Address and Message of the present Executive, as standing equally fair upon this important question—his late Message conclusively demonstrating to all who are not blinded by the wilful blindness of self-interest, the necessity of the deposit with the State of ample security for

the redemption of all Bank circulation. It is a matter of just congratulation to the people, that however much they have been or however much they may be misrepresented through other sources, the late and present Executive have not shrunk from, nor avoided the principles upon which they were elected. Your committee insist that upon the question of Bank circulation, the great mass of the people are in favor of a secured circulation based upon ample securities deposited in the Treasury of the State, and that the representative of the people who shall license and authorize a Bank circulation based upon the naked integrity of the owners of the Banks, will be held to a fearful responsibility.

Your committee do not hesitate to say, that the issue of Bank notes under the General Banking Law is amply secured, and the act fully provides the means for the redemption of every dollar of bank paper issued by authority of that act.

Under that law, capital invested and embarked in a legitimate banking business, yields a fair, if not an exorbitant interest to the banker, at the same time the power to expand and balloon the currency of the State is limited to the actual amount of securities deposited with the State.

Your committee therefore think that a reflecting legislature will hesitate to repeal, either directly or indirectly, so important a law as that authorizing the business of Banking.

Your committee suggest that two systems of Banking so unequal as that existing now, under our special acts, cannot either honestly or fairly exist at the same time in one State. The two principles are unequal and all inequality is antagonistic.—The unbridled license conferred under the special acts of incorporation, by which a Bank without one dollar of actual capital at its foundation, may issue bank notes at will, having the implied endorsement of the State that such notes are good, seems radical and rank dishonesty towards other institutions, and other men engaged in the same manner of business, and held to the severe and binding restrictions of our General Laws.

The proposition of the Governor's Message, "That all engaged in the same pursuit should be under the same law," embodies a Democratic sentiment worthy of the attention and careful consideration of the representative of a Democratic constituency, and your committee recommend the same to the careful consideration of their fellow-Senators. Your committee therefore recommend the passage of the following resolutions:

Resolved, That in the opinion of this Senate, that the portion of the Message of His Excellency, Governor Price, relating

to Banks and Banking, embodies sound Democratic principles, which if sustained by the Legislature will greatly benefit the mass of the people of this State.

Resolved, That in the opinion of the Senate it is inexpedient and unjust to extend the charters of specially incorporated Banks, or to grant new acts of incorporations for Banks, so long as the General Banking Law remains unrepealed.

M. B. BRAMHALL,
THOS. D. HOXSEY,
Majority of Com. on Finance.

Which was read, and while under consideration,

The following messages were received from the House of Assembly by the hands of Mr. Vroom, their Clerk:

HOUSE OF ASSEMBLY, January 18, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly has passed the following concurrent resolution, and request the concurrence of the Senate therein:

Resolved, (Senate concurring) That the current Printing of the two Houses be printed under the direction of the Joint Committee on Printing, until the law reported by said committee be acted upon.

PETER D. VROOM, Clerk.

HOUSE OF ASSEMBLY, January 18, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed the following concurrent resolution:

Resolved, (Senate concurring,) That this House will adjourn *sine die*, on Saturday, February 7, 1855.

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The President laid before the Senate the following communication:

NEW JERSEY HISTORICAL SOCIETY,
Trenton, January 18, 1855.

SIR:—The Senate of New Jersey is respectfully invited to attend the sittings of the State Historical Society, to be held today in this city. The Society will convene in the City Hall at 11 o'clock, A. M., and the annual address will be delivered by the Rev. C. S. Henry, D. D., of Belleville, at the same place, at 3 o'clock, P. M.

With great respect,
Sir, your ob'dt serv't,
W. A. WHITEHEAD,
Cor'g. Sec'y.

WM. C. ALEXANDER, Esq., Pres. of the Senate.

Which was read.

Pending the consideration of the Report and resolutions of the majority of the Committee on Finance,

On motion of Mr. Laird,

The Senate adjourned.

At 3 o'clock the Senate met.

The President laid before the Senate the Report of the State Superintendent of Public Schools, and the documents accompanying the same.

(For Report and accompanying documents, see Appendix.)

Which Report was read,

And,

On motion of Mr. Hoxsey, it was

Ordered, That one thousand copies of the Report and the documents accompanying the same, be printed for the use of the Senate.

The President also laid before the Senate the Report of the Bank Commissioners of the State of New Jersey, and the Statements accompanying the same.

(For Report and Statements, see Appendix.)

Mr. A. V. Bonnell moved that the reading of the Report be dispensed with.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Martin, Roberts, Smith, Stults, Swain—10.

NAYS—Alexander, (Pres.) Bramhall, Cowperthwaite, Depew, Hoxsey, Laird—6.

So said motion was agreed to, and the reading of the Report dispensed with.

On motion of Mr. Hoxsey, it was

Ordered, That one thousand copies of said Report and Statements accompanying the same, be printed under the direction of the Bank Commissioners, for the use of the Senate.

A sealed Message, endorsed "Nominations," was received from the Governor, by the hands of Mr. Shreeve, his private Secretary.

Mr. Hoxsey moved that the Senate go into Executive Session.

Which motion was agreed to.

And,

After some time spent therein, the Senate again came to order.

Mr. I. Bonnell, from the Committee on Agriculture, to which was referred

The bill entitled,

An act to repeal part of a supplement to an act entitled "An act for the preservation of sheep," approved April fourteenth, eighteen hundred and forty-six.

Reported the same,
Without amendment.

Mr. A. V. Bonnell, Chairman of the Special Committee appointed at the last session of the Legislature "To investigate the affairs and business of the Elizabethtown and Somerville Railroad Company," with leave to sit during the recess, presented the following

REPORT

Of the Special Committee to investigate the affairs and business of the Elizabethtown and Somerville Railroad Company.

To the Senate of the State of New Jersey—

Your committee, appointed at the last session of the Legislature, and continued until the present session, with leave to sit during the recess, "to investigate the affairs and business of the Elizabethtown and Somerville Railroad Company," report

That they have made a thorough and careful examination of the matters referred to them, and find that the profits accruing from the business of said road have, at no time from April 1st, 1846, (that being the time when the road came into the possession of the present owners) until April 1st, 1849, when the said road was merged into the "Central Road" by legislative enactment, exceeded four and a half per centum per annum, as will appear from the following condensed statement, viz:

April 1, 1847,	Capital stock,	$400,000 00
	Profit and loss,	18,305 23
" " 1848,	Capital stock,	700,000 00
	Profit and loss,	25,795 07
" " 1849,	Capital stock,	1,000,000 00
	Profit and loss,	40,191 14

It will be seen, therefore, that the company is not liable to the State for any tax upon their road for those years, their charter not requiring the payment of tax, until the profits should amount to "seven per centum per annum upon the amount of costs."

Your committee was unable to obtain any information relative to the business of the said road prior to April first, eighteen hundred and forty-six.

It will be remembered that in eighteen hundred and forty-six the road was sold upon the foreclosure of mortgages that had been given upon the same, and was purchased by the present stockholders, or by those under whom the present stockholders claim to hold.

It appears to your committee from the best information they can get with reference thereto, that from the commencement of said road up to the time of said sale, no regular books were kept by the said company, that the business of the road was conducted loosely and without system, and the memoranda and papers of the company, were at the time of said sale in the

hands of different individuals and have been lost or destroyed, so that the present stockholders themselves have never been able to obtain any definite knowledge of the business and accounts of the road prior to the date of their said purchase.

Your committee did not prosecute their investigations later than April first, eighteen hundred and forty-nine, because the said road was then merged in the Central Railroad by an act of the legislature.

Your committee are of opinion that no further action is required, on the part of the Senate with referrence to the matters referred, and they therefore ask to be discharged from the further consideration of the subject.

Your committee take pleasure in commending the officers of the Central Railroad Company for the promptness with which they responded to the inquiries of the committee, and for the readiness with which they furnished to your committee every facility for the prosecution of the investigation.

Respectfully submitted.

Attest, F. D. MULFORD, Sec'y.

A. V. BONNELL,
M. B. BRAMHALL,
Committee

JANUARY 10, 1855.

Which was read,

And,

On motion of Mr. Hoxsey,

The Report was accepted, and five hundred copies of the same ordered to be printed, under the direction of the said special committee, for the use of the Senate.

Mr. Allen moved that the unfinished business of the morning, being the report and resolutions of the majority of the Committee on Finance, be now taken up.

Mr. Hoxsey moved that the Senate adjourn.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (President) Bramhall, Depew, Hoxsey, Laird,—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Smith, Stults, Swain—12.

So said motion to adjourn

Was not agreed to.

Mr. Bramhall moved that the further consideration of the report and resolutions of said committee be postponed until to-morrow morning.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Depew, Franklin, Hoxsey, Laird, Rea, Roberts—10.

NAYS—Messrs. Allen, Chetwood, Cowperthwaite, Martin, Smith, Stults, Swain—7.

So said motion was agreed to.

And,

The further consideration of said report and resolutions postponed accordingly.

The engrossed bill entitled,

A supplement to the act entitled "an act to renew and re-establish an act to incorporate the Passaic Water Company," approved February thirteenth, eighteen hundred and forty-nine, and supplemental thereto, approved February ninth, eighteen hundred and fifty-four,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

YEAS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Bramhall, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Smith, Swain—16.

NAYS—Stults—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to authorize the construction of a draw or swing bridge over the Elizabethtown Creek,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

YEAS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Smith, Stults, Swain —17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill entitled,

A supplement to an act entitled, "An act to incorporate the Bergen County Railroad Company;"

Was taken up, read a second time, the first and only section considered, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to authorize a subscription on the part of the State, to a new edition of Elmer's Digest of the Laws;

Was taken up,

And,

On motion of Mr. Hoxsey,

The further consideration of the same was postponed for the present.

The bill entitled,

A further supplement to the act entitled "An act to incorporate the Sussex and Warren Railroad Company," approved February twenty-first, eighteen hundred and fifty-one:"

Was taken up, read a second time, the first, second and third sections considered and agreed to, and the fourth and last section, on motion of Mr. Hoxsey, stricken out, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Hackettstown Mining and Manufacturing Company,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

A supplement to an act entitled "An act to authorize the Trustees of the Woodbury Methodist Episcopal Church to sell a part of their Church Lot," approved March second, eighteen hundred and fifty-four;

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed, and have a third reading.

The message from the House of Assembly of this morning, with the concurrent resolution that the current printing of the two Houses be printed under the direction of the Joint Committee on printing, until the law reported by said committee be acted upon,

Was taken up and read,

And,

On motion of Mr. Hoxsey,

The consideration of the same was postponed for the present.

The message from the House of Assembly of this morning, with the concurrent resolution to adjourn *sine die* on Saturday, February 17, 1855,

Was taken up and read,

And

On motion of Mr. Bramhall,

The concurrent resolution ordered to lie on the table.

On motion of Mr. Bramhall,

The Senate then adjourned.

FRIDAY, January 19th, 1855.

At 10 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The Journal of the previous day was read and approved.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to incorporate the Hackettstown Mining and Manufacturing Company;

Also,

The bill entitled,

A supplement to an act entitled "An act to authorize the Trustees of the Woodbury Methodist Episcopal Church to sell part of their Church Lot," approved March 2d, eighteen hundred and fifty-four;

Also,

The bill entitled,

A supplement to an act entitled, "An act to incorporate the Bergen County Railroad Company;"

Also,

The bill entitled,

A further supplement to the act entitled "an act to incorpor-

ate the Sussex and Warren Railroad Company," approved February twenty-one, eighteen hundred and fifty-one;

And find the same to be correctly engrossed.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

An act to incorporate the Newark City Bank;

Also,

The bill entitled,

An act to incorporate the New Jersey Ocean Steam Navigation Company,

Reported the same, severally,
Without amendment.

The same Senator offered the following resolution:

Resolved, That when the Senate adjourns, it adjourn to meet on Monday afternoon next, at three o'clock.

Which was read, and the ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

AYES—Messrs. A. V. Bonnell, Bramhall, Chetwood, Depew, Hoxsey, Laird, Robertson, Smith—8.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Cowperthwaite, Franklin, Howell, Martin, Roberts, Stults—9.

So said resolution was not agreed to.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill entitled,

An act to authorize a trustee therein named to sell certain real estate, late of Jedediah Elwell, deceased;

Also,

The bill entitled,

A further supplement to an act entitled, "An act for the more easy partition of lands held by co-partners, joint tenants, and tenants in common," approved April sixteenth, eighteen hundred and forty-six:

Reported the same, severally,
Without amendment.

Mr. Hoxsey, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

"An act to incorporate the Passaic Quarry Company."

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Martin, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to authorize the inhabitants of the township of Bernards, in the county of Somerset, to vote by ballot at their town meetings,

Which was read for the first time by its title, and ordered to have a second reading, and referred to the Committee on the Judiciary.

The report of the majority of the Committee on Finance upon the subject of Banks and Banking, being the unfinished business of yesterday,

Was taken up, and the consideration thereof resumed.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, as follows:

HOUSE OF ASSEMBLY, January 19, 1855.

Mr. President:—

I am directed to inform the Senate that the House of Assembly has passed the following

Assembly bill, No. 4, entitled

A supplement to an act entitled "an act to incorporate the Jersey Shore Improvement Company," approved March third, eighteen hundred and fifty four.

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

Pending the consideration of the report and resolutions of the said Committee on Finance,

Mr. Hoxsey moved that the Senate adjourn.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Robertson—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—12.

So said motion to adjourn was not agreed to.

The consideration of the report and resolutions of the Committee on Finance was then resumed, and pending the consideration thereof,

Mr. Hoxsey moved that the Senate adjourn—but withdrew

his motion to permit the message received from the House of Assembly to be taken up.

The Message was then taken up and read.

The bill from the House of Assembly entitled

A supplement to an act entitled "an act to incorporate the Jersey Shore Improvement Company," approved March the third, eighteen hundred and fifty-four,

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Hoxsey then renewed his motion,

That the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Robertson—6.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—12.

So the motion to adjourn

Was not agreed to.

Mr. Laird moved that the report and resolutions be printed, and that the same be made the special order of the day for Tuesday next.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Robertson—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood,

Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—12.

So said motion

Was not agreed to.

Mr. Hoxsey moved that the Senate adjourn.

The Ayes and Nays being demanded and upon the question of agreeing to said motion,

Pending the call of the ayes and nays,

Mr. Hoxsey moved a call of the Senate, which call being sustained and ordered,

The Secretary, under the direction of the President, proceeded to call the Senate,

When the following Senators appeared in their seats, and answered the call:

Messrs. Alexander, (President), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Roberts, Robertson, Smith, Stults, Swain—13.

Mr. Hoxsey moved that the Sergeant-at-arms be despatched for the absentees.

The Yeas and Nays being demanded and ordered thereon, were as follows:

Ayes—Messrs. Alexander, (President) Bramhall, Depew, Franklin, Hoxsey—5.

Nays—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Howell, Laird, Martin, Roberts, Robertson, Smith, Stults, Swain—13.

So said motion was not agreed to.

The call of the ayes and nays was then resumed upon the question of agreeing to the motion to adjourn, and resulted as follows:

AYES—Messrs. I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Robertson—6.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain——12.

So said motion to adjourn

Was not agreed to.

Mr. Bramhall moved that the further consideration of said report and resolutions be postponed until this afternoon.

The ayes and nays being demanded and ordered upon the question of agreeing thereto, were as follows:

YEAS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Robertson—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—12.

So said motion

Was not agreed to.

Mr. Hoxsey moved that the report and resolutions be printed, and made the special order of the day for Wednesday next.

The ayes and nays being demanded and ordered thereon, were as follows:

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Laird, Robertson—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Swain—12.

So said motion

Was not agreed to.

The same Senator moved that the report and resolutions be re-committed to the Committee on Finance.

The ayes and nays being demanded and ordered thereon, were as follows:

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Laird, Robertson—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Roberts, Smith, Stults, Swain—13.

So said motion

Was not agreed to.

The same Senator moved

That the Senate adjourn.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

YEAS—Messrs. I. Bonnell, Hoxsey—2.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Martin, Roberts, Robertson, Smith, Stults, Swain—16.

So said motion

Was not agreed to.

The same Senator moved a re-consideration of the vote by which the Senate refused to re-commit said report and resolutions to the Committee on Finance.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood

Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—12.

So said motion

Was not agreed to.

The same Senator moved that the Senate adjourn.

The ayes and nays being demanded and ordered thereon, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Robertson—7.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain —11.

So said motion

Was not agreed to.

Mr. A. V. Bonnell moved the previous question,

Which call being sustained,

Upon the question,

Shall the main question be put?

Mr. Hoxsey demanded the ayes and nays—which being ordered were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—12.

NAYS—Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Robertson—6.

So the main question was directed to be put.

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Robertson—7.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—11.

So said motion

Was not agreed to.

The main question,

Shall the report and resolutions be accepted?

Was then put.

Mr. Hoxsey demanded the yeas and nays; which being ordered were as follows:

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Laird, Robertson—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—12.

So said report and resolutions

Were not accepted.

On motion of Mr. Allen,

The Senate adjourned.

At 3 o'clock the Senate met.

Mr. Martin presented a petition from C. Barcalow, and others, citizens of the county of Somerset, representing that they believe that a well ordered State Normal School, would essentially contribute to elevate the character, and perfect the attainment of Teachers, and through them advance the cause of Education, and praying the establishment of such School—to be located at Somerville;

Which was referred to the Committee on Education, without reading.

The engrossed bill entitled,

An act to incorporate the Hackettstown Mining and Manufacturing Company;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Martin, Roberts, Robertson, Smith, Stults, Swain—14.

Nays—Messrs. Alexander, (Pres.), Bramhall—2.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Morristown Gas-light Company

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

YEAS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Roberts, Robertson Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill engrossed entitled,

A supplement to the act entitled, "An act to authorize the Trustees of the Woodbury Methodist Episcopal Church to sell a part of their Church Lot," approved March second, eighteen hundred and fifty-four:

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Roberts, Robertson, Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill and request their concurrence.

The engrossed bill entitled,

A Supplement to the act entitled "An act to incorporate the Bergen County Railroad Company,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Frankn, Howell, Hoxsey, Martin, Rea, Roberts, Robertson, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carit to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A further Supplement to the act entitled "an act to incorporate the Sussex and Warren Railroad Company," approved February twenty-one, eighteen hundred and fifty-one;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Martin, Rea, Roberts, Robertson, Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. A, V. Bonnell gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act relative to the office of Bank Superintendent.

The bill entitled,

An act to incorporate the Stockton Land Association,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

Mr. Stults offered the following resolution :

Resolved, That when the Senate adjourns, it adjourn to meet on on Monday next, at 3 o'clock, P. M.

Which was read and agreed to.

The bill entitled,

An act to authorize the erection of a bridge over Cooper's Creek;

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the New Jersey Ocean Steam Navigation Company;

Was taken up and read a second time.

Pending the consideration of the first section thereof,

Mr. Hoxsey moved the re-commitment of said bill to the Committee on Corporations.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Robertson, Smith, Stults, Swain—14.

So said motion

Was not agreed to.

The first and remaining sections of said bill were then considered, amended and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

An act to repeal part of a supplement to an act entitled "An act for the preservation of sheep," approved April fourteenth, eighteen hundred and forty-six,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to increase the capital stock of the State Bank at Elizabeth,

Was taken up and read a second time,

When

Mr. Chetwood called for the reading of the petition presented in favor of the passage of said bill,

And being read,

Mr. Hoxsey moved that the further consideration of said bill be postponed for the present.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Rea, Robertson—6.

NAYS—Messrs. Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—11.

So said motion

Was not agreed to.

The first section of said bill, as follows:

1. BE IT ENACTED, *by the Senate and General Assembly of the State of New Jersey*, That the capital stock of "the President, Directors and Company of the State Bank at Elizabeth," be and the same is hereby increased six thousand shares of fifty dollars each; and the additional capital hereby created shall be part of the capital stock of the said corporation, held and transferred in the same manner, entitled to the same privileges and benefits, as the capital stock created by the act incorporating the said bank, and be subject to the same rules, regulations, and provisions, except as is herein otherwise provided;

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word "*six*," in the third line of the printed bill, and inserting the word "*one*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults, Swain—13.

So said amendment

Was not agreed to.

The same Senator then moved to amend said section by striking out the word "*six*" in the third line, and inserting the word "*two*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults, Swain——13.

So said amendment

Was not agreed to.

The same Senator then moved to amend said section by striking out the word "*six*" in the third line, and inserting the word "*three*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey—4.

NAYS—Messrs. Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults, Swain —12.

So said amendment

Was not agreed to.

The same Senator then moved to amend said section by striking out the word "*six*" in the third line, and inserting the word "*four*" in the place thereof.

Which amendment was accepted and agreed to, and the section as amended agreed to.

The second section was then taken up and read, and pending the consideration thereof,

Mr. Hoxsey moved that the further consideration thereof be postponed for the present.

Which motion was not agreed to.

The consideration of the second section of said bill as follows:

2. *And be it enacted*, That the said additional stock shall

and may be called in from time to time as the Directors of the said bank, for the time being shall deem expedient; and the books for subscribing to such stock shall be opened at such a time or times, and in such manner as the said directors shall order; of which four weeks notice shall be given in one or more newspapers published in Elizabethtown; and the same when so called in, shall be allotted rateably among the several stockholders of the stock of said bank, in proportion to the number of shares held by them respectively, at least ten days before the time of subscribing to such new stock; and in case it shall happen that at the time noticed for subscribing to any such additional capital, any of the stockholders shall decline or neglect to subscribe for the same, he or she shall forfeit the privilege thereto, and the remaining stockholders, or such of them as then apply for the purpose, shall be entitled to the privilege of subscribing as aforesaid, in proportion to the shares held by them, respectively, as aforesaid; or the said directors may, from time to time, sell the shares forfeited as aforesaid, as they may think most for the interest of said bank, for the best price or prices that can be obtained, not less than their par value; and the overplus, if any, to be credited to the account of the profits of the said bank;

Was then resumed.

Mr. Hoxsey moved to amend said section by striking out all after the word "Elizabethtown," in the sixth line of the printed bill.

Which motion was not agreed to.

The second section was then agreed to.

The same Senator then moved to add an additional section as follows:

3. *And be it enacted*, That it shall be the duty of said bank to publish in some newspaper published in the county of Essex, once in each month, the names of all persons who have procured discounts from said bank, with the amount of such discounts opposite to the name of such person, the time for which the note, bill or bond discounted may have to run, and with such monthly publication, the name of the directors of said bank for the time being.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Robertson, Smith, Stults, Swain—14.

So said motion

Was not agreed to.

The same Senator then moved to add an additional section, as follows:

3. *And be it enacted*, That the President and Directors and stockholders of said corporation shall be residents of this State, and shall be jointly and severally liable during all the time they are directors and stockholders of said bank, and for two years thereafter, for the payment of all the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, or may be jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes in the same manner as if executed by them in their natural capacity; and it shall not be competent for any director or stockholder fraudulently to resign his office or assign his stock with intent to avoid such liability, and if any director or stockholder shall so attempt to resign his office or assign his stock with intent to avoid such liability, he or they shall be and continue liable the same as if no such resignation or assignment had been attempted; *provided*, that no suit at law or in equity shall be commenced against any director or directors, stockholder or stockholders, to recover the amount of any such bills or notes until after one month from the time said corporation shall become insolvent and suspend payment, and in case of any payment of such bills or notes by any of said directors or stockholders, the other directors or stockholders who may be liable shall account in the same way as other joint debtors are accountable to each other.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (President) Bramhall, Cowperthwaite, Depew, Howell, Hoxsey, Robertson, Smith—8.

NAYS—Messrs. Allen, I. Bonnell, Chetwood, Franklin, Martin, Rea, Roberts, Stults, Swain—9.

So said motion

Was not agreed to.

Mr. I. Bonnell, moved that the Senate now adjourn, but withdrew his motion to permit Mr. Allen to give notice of the introduction of a bill.

Mr. Allen then gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Central Bank of New Jersey.

On motion of Mr. I. Bonnell,

The Senate then adjourned.

MONDAY, January 22d, 1855.

At 3 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The Journal of Friday was read and approved.

Mr. Allen presented a petition from the President, Cashier and Directors of the Central Bank at Hightstown, asking on behalf of the stockholders of said bank an act of incorporation authorizing the business of banking in the Borough of Hightstown, by the name of the Central Bank of New Jersey, with a capital of two hundred thousand dollars, with the privilege of increasing the same to three hundred thousand dollars.

The reading of which was dispensed with, and the petition referred to the Committee on Corporations.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Central Bank of New Jersey;

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

Mr. Hoxsey moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A further supplement to the act entitled "an act to incorporate the city of Paterson," approved March nineteenth, eighteen hundred and fifty-one;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Municipal Corporations.

Mr. Hoxsey moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A Supplement to an act entitled "An act to secure to creditors an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors.

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Bordentown Savings Institution;

Which was read the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

Mr. A. V. Bonnell, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act relative to the office of Bank Superintendent:

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Finance.

The same Senator gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to renew the charter of the Trenton Banking Company.

Mr. Hoxsey gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A further supplement to the act entitled "An act to incorporate the Paterson and New York Plank Road Company."

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to incorporate the Stockton Land Association;

Also,

The bill entitled,

An act to authorize the erection of a bridge over Cooper's Creek,

Also,

The bill entitled,

An act to repeal part of a supplement to an act entitled "An act for the preservation of Sheep," approved April fourteenth, eighteen hundred and forty-six.

Also,

The bill entitled,

An act to incorporate the New Jersey Ocean Steam Navigation Company,

And find the same to be correctly engrossed.

The engrossed bill entitled,

An act to authorize the erection of a bridge over Cooper's Creek,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Hoxsey, Rea, Roberts, Somers, Stults,—12.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill entitled,

An act to increase the capital stock of the State Bank at Elizabeth,

Which was postponed on Friday, while under consideration,

Was taken up, and the consideration thereof resumed.

Mr. Hoxsey moved to add an additional section, to be called Section 3, as follows:

3. *And be it enacted*, That the President and Directors and stockholders of said corporation shall be residents of this State, and shall be jointly and severally liable during all the time they are directors and stockholders of said bank, and for one year thereafter, for the payment of all the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, or may be jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes in the same manner as if executed by them in their natural capacity; and it shall not be competent for any director or stockholder fraudulently to resign his office or assign his stock with intent to avoid such liability, and if any director or stockholder shall so attempt to resign his office or assign his stock with intent to avoid such liability, he or they shall be and continue liable the same as if no such resignation or assignment had been attempted; *provided*, that no suit at law or in equity shall be commenced against any director or directors, stockholder or stockholders, to recover the amount of any such bills or notes until after six months from the time said corporation shall become insolvent and suspend payment, and in case of any payment of such bills or notes by any of said directors or stockholders, the

other directors or stockholders who may be liable shall account in the same way as other joint debtors are accountable to each other.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Hoxsey, Somers—2.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Rea, Roberts, Stults—10.

So said motion

Was not agreed to.

The same Senator then moved to add an additional section, to be called Section 3, as follows:

3. *And be it enacted,* That the President and Directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, and may be, jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes in the same manner as if executed by them in their natural capacity; and it shall not be competent for any director fraudulently to resign his office with intent to avoid such liability, and if any director shall so attempt to resign his office with intent to avoid such liability, he shall be and continue liable, the same as if no such resignation had been attempted; *provided*, that no suit at law or in equity shall be commenced against any director or directors, to recover the amount of any such bills or notes until after six months from the time said corporation shall have become insolvent and suspended payment, and in case of any payment of such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Hoxsey, Rea, Somers—8.

NAYS—Messrs. Allen, Chetwood, Roberts, Stults—4.

So said motion

Was agreed to.

On motion of Mr. Chetwood,

The further consideration of said bill

Was postponed for the present.

A Message was received from the Governor, by the hands of Mr. Shreve, his private Secretary, as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, January 22, 1855.

Mr. President:

I have the honor herewith to transmit the annual report of the State Directors of the Camden and Amboy Railroad and Delaware and Raritan Canal Companies, for 1854.

RODMAN M. PRICE.

(For Report, see Appendix.)

The bill entitled,

An act to incorporate the Farmers' and Mechanics' Bank at Camden,

Was taken up, read a second time, and the first section thereof considered and agreed to.

The second section thereof as follows:

2. *And be it enacted*, That the capital stock of the said cor-

poration shall be three hundred thousand dollars, with privilege, in the board of directors, of increasing the same to five hundred thousand dollars, and shall be divided into shares of one hundred dollars each; that the said Charles Kaign, Cooper P. Browning, Albert W. Markley, Abraham Browning, and Samuel J. Bayard, or a majority of them, shall be, and they are hereby, appointed commissioners to open, at Camden, books of subscription for, and receive subscriptions to, said capital stock, giving at least twenty days' notice in the several newspapers printed in Camden, of the time and place of receiving said subscriptions: that the said books, after having been opened, shall be kept open for three successive days, unless the amount of said capital stock shall be sooner subscribed for; that upon the first day of the opening of said books, no persons but citizens of the state of New Jersey shall be allowed to subscribe for said stock, and at the time of subscribing for said stock, the respective subscribers shall pay to said commissioners five dollars for each share subscribed for:

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the words "*three hundred thousand,*" in the second line of the printed bill, and inserting the words "*one hundred and fifty thousand*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

Ayes—Messrs. Alexander, (Pres.) Franklin, Hoxsey, Somers —4.

Nays—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Rea, Roberts, Smith, Stults,—9.

So said amendment

Was not agreed to.

The same Senator then moved to amend said section by striking out the words "*three hundred thousand*" in the second line, and inserting the words "*two hundred thousand*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Franklin, Hoxsey, Somers—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Rea, Roberts, Smith, Stults—9.

So said amendment

Was not agreed to.

The same Senator then moved to strike out the words "*three hundred thousand*" in the second line of said section, and insert the words "*two hundred and fifty thousand*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Franklin, Hoxsey, Rea, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Roberts, Smith, Stults—7.

So said motion

Was not agreed to.

The same Senator moved to strike out in said section all after the word "*dollars,*" in the second line, to the word "*and*" in the third line.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (President) Franklin, Hoxsey, Somers, Smith—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Rea, Roberts, Stults—8.

So said motion

Was not agreed to.

The same Senator then moved to strike out the word "*five*"

in the third line of said section, and insert the word "*four*" in the place thereof.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), I. Bonnell, Franklin, Hoxsey, Somers, Smith,—6.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Rea, Roberts, Stults,—7.

So said motion

Was not agreed to.

The same Senator then moved that the further consideration of said section be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Mr. Hoxsey—1.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Rea, Roberts, Somers, Smith, Stults,—12.

So said motion

Was not agreed to.

The second section was then agreed to.

The third section as follows:

3. *And be it enacted*, That the affairs of said corporation shall be managed by a board of thirteen directors, seven of whom shall be a quorum, for the transaction of business, (except in cases of discount, which may be regulated by the by-laws:) that the said directors shall be stockholders, and shall, before entering upon the duties of their office, severally take and subscribe an oath or affirmation faithfully to execute the trust reposed in them as directors; that the directors shall hold

their offices for one year, and until their successors shall be chosen, that the annual election of directors shall be on the second Tuesday of April, in every year, at the banking house of said corporation, at such time as the board of directors shall appoint, of which election at least fourteen day's notice shall be given by the directors, by advertisement in one of the newspapers printed at the city of Camden: that the said election shall be by ballot, those having the greatest number of votes to be deemed elected, and shall be by such of the stockholders as may attend in person or by proxy, they being respectively entitled to one vote for each share of stock held in his, her, or their own name or names, for at least three calender months next before the election: that for the well ordering of said election, the board of directors shall previously thereto appoint three stockholders, not being directors, to be Judges thereof, who shall conduct the election and determine upon the legality of votes, the eligibility of persons voted for and who shall be elected, and in all cases of an equality of votes between two or more persons voted for, avoiding an election of a full board, the said Judges, or a majority of them, shall thereupon select from those not elected and having the highest number of votes, as many as may be required to make up the full number of thirteen directors: and the directors so elected shall at the first meeting thereafter, when a quorum shall be present, elect one of said thirteen directors to be president, as well of their board as of said corporation: and whenever a vacancy shall occur in said board of directors, by death, resignation or otherwise, such vacancy may be filled, for the remainder of the year, by the board of directors: and if at any time it shall happen that an election of directors shall not take place at the time above required, the said corporation shall not for that reason be deemed dissolved, but an election thereof shall be had as soon as conveniently may be thereafter, upon like notice as above directed, and at the same place and in the mode above specified:

Being under consideration,

The same Senator moved to amend the same by striking out the words, "*except in cases of discount, which may be regulated by the by laws,*" between the word "*business,*" in the third line of the printed bill, and the word "*that,*" in the fourth line of said section.

Which amendment was accepted and agreed to, and the section as amended agreed to.

The fourth section was then read, considered and agreed to.

The fifth section being under consideration,

Mr. Hoxsey moved that the further consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Franklin, Hoxsey, Rea, Somers, Smith—8.

NAYS—Messrs. Allen, Chetwood, Cowperthwaite, Roberts, Stults—5.

So said motion

Was agreed to.

And the further consideration of said bill postponed.

On motion of Mr. I. Bonnell,

The Senate adjourned.

TUESDAY, January 23, 1855.

At 10 o'clock the Senate met.

The Senate was opened with prayer, by the Rev Mr. Brown.

The journal of yesterday was read and approved.

The president laid before the Senate the following invitation:

The members of the Senate are invited to attend a meeting of the Medical Society of New Jersey, this evening, (Tuesday) at 8 o'clock, in the upper room of the Temperance Hall, to hear the President's address. Subject—"The History of the Society from its Organization."

By order of
W. PEARSON.
Sec. N. J. Medical Society.

January 23, 1855.

Which being read,

On motion of Mr. Hoxsey,

The invitation was accepted.

The President laid before the Senate a memorial from J. D. Ingham, and others, citizens of Trenton and vicinity, praying that the charter of the Trenton Banking Company may be extended, for such time as may be deemed expedient, upon the basis of its present organization, and with such additional security to bill holders as may be considered necessary;

Which was read and referred to the committee on Corporations.

On motion of Mr Hoxsey,

It was ordered, That the usual number of copies of the Report of the State Directors of the Delaware and Raritan Canal and Camden and Amboy Railroad and Transportation Companies, be printed for the use of the Senate, under the direction of the committee on Corporations.

Mr. Rea gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A charter for a bank to be located at Phillipsburg, to be called the Bank of Phillipsburg.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill entitled,

A supplement to an act entitled, "An act to secure to creditors an equal and just division of the estate of debtors, who convey to assignees for the benefit of creditors;

Also,

The bill entitled,

An act to confirm certain conveyances of land lying in the township of Freehold, in the county of Monmouth;

Also,

The bill entitled,

An act increasing and defining the powers of "the Rifton Manufacturing Company," in certain particulars;

Reported the same,
Without amendment.

The same Senator, from the same Committe, to which was referred

The bill entitled,

An act to authorize the inhabitants of the township of Bernards, in the county of Somerset, to vote by ballot at their town meetings,

Reported the same, severally,
With amendments.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

An act to incorporate the Passaic Quarry Company;

Also,

The bill entitled,

An act to incorporate the Central Bank of New Jersey;

Also,

The bill entitled,

An act to incorporate the Bordentown Savings Institution;

Also,

The bill from the House of Assembly, entitled,

A supplement to an act entitled "an act to incorporate the Jersey Shore Improvement Company," approved March the third, eighteen hundred and fifty-four;

Reported the same, severally,

Without amendment.

Mr. A. V. Bonnell gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act relative to the quantity of land that may be held by certain Railroad Companies.

The same Senator in pursuance of notice heretofore given asked and obtained leave to introduce

A bill entitled,

An act to renew the charter of the Trenton Banking Company.

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

Mr. Laird, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Freehold Banking Company;

Which was read the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The engrossed bill entitled,

An act to repeal part of a supplement to an act entitled "An act for the preservation of sheep," approved April fourteenth, eighteen hundred and forty-six,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

YEAS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Somers, Stults—15.

NAYS—Mr. Robertson—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill entitled,

An act to incorporate the Farmers Bank, of the county of Hunterdon, at Flemington,

Was taken up and read a second time, and the first section thereof, as follows:

1. BE IT ENACTED, *by the Senate and General Assembly of the State of New Jersey*, That Alexander Wurts, Thomas B. Carr, Charles Bartles, Andrew Vansyckle, John G. Reading, Samuel C. Eckel, John Rank, William P. Emery, and Jacob S. Williamson, be, and they are hereby appointed commissioners, which commissioners, or any four of them, shall open a subscription at Flemington, and such other places in the county of Hunterdon as the said commissioners, or a majority of them may deem proper, to raise the sum of fifty thousand dollars, in shares of fifty dollars each; the said commissioners to give notice of the time and place or places of opening the books of subscription,

by advertising the same in the newspapers printed at Flemington, at least three weeks, and the books to continue open from day to day, for ten days, unless the same be sooner subscribed; and if the whole amount shall not be within that time subscribed, the said commissioners may continue to keep the books open until the whole amount of the capital stock be subscribed, and should more than fifty thousand dollars be subscribed, shall make an equitable deduction and apportionment; *provided always*, that citizens and residents of the county of Hunterdon only, shall have the first right to subscribe for the said stock, and if they fail or neglect to take the same, then in that case, citizens only in other counties in this State shall be permitted to subscribe for and own the balance of the said stock,

Being under consideration,

Mr. A. V. Bonnell moved to strike out said section, and insert in the place thereof a new section, to be called Section one, as follows:

BE IT ENACTED, *By the Senate and General Assembly of the State of New Jersey*, That Alexander Wurts, Andrew G. M. Provost, Charles Bartles, Hiram Deats, John G. Reading, George A. Allen, Samuel C. Eckel, John Runk, John S. Williamson, Bennet Vansyckle, and William R. Moore, be and they are hereby appointed commissioners, which commissioners shall or a majority of them shall open a subscription at Flemington, to raise the sum of one hundred thousand dollars, in shares of twenty-five dollars each, the said commissioners to give notice of the time and place of opening the books of subscription, by advertising the same in the newspapers printed at Flemington, at least three weeks; and the books continued open from day to day for ten days—and if the whole amount shall not within that time be subscribed, the said commissioners may continue to keep the books open until the whole capital stock be subscribed; and should more than one hundred thousand dollars be subscribed, shall make an equitable deduction and apportionment; *provided always*, that the owners of stock in an association formed at Flemington, in the county of Hunterdon, in this State, and doing business there, called and known as the "Hunterdon County Bank," under the provisions of an act of the Legislature of this State, passed February 27th, 1850, entitled "an act to authorize the business of banking," shall have the first right to subscribe for the said stock of the bank incorporated under this charter to the same number of shares they may hold in the said associa-

tion, at the date of the passage of this act, and no deduction or apportionment shall be made of the stock subscribed by them, except the subscription of any one of them shall amount to more than five thousand dollars, in which case said persons subscription may be reduced to said amount: and if they fail or neglect to subscribe for the same during the said first ten days, then and in that case other citizens of this State shall be permitted to subscribe for and own the balance of said stock.

Mr. Hoxsey moved to amend said substitute by striking out the proviso in said section, as follows: "*provided always*, that the owners of stock in an association formed at Flemington, in the county of Hunterdon, in this State, and doing business there, called and known as the "Hunterdon County Bank," under the provisions of an act of the Legislature of this State, passed February 27, 1850, entitled "an act to authorize the business of banking," shall have the first right to subscribe for the said stock of the bank incorporated under this charter, to the same number of shares they may hold in the said association at the date of the passage of this act, and no deduction or apportionment shall be made of the stock subscribed by them, except the subscription of any one of them shall amount to more than five thousand dollars, in which case, said persons subscription may be reduced to said amount, and if they fail or neglect to subscribe for the same during the said first ten days, then in that case other citizens of this State shall be permitted to subscribe for and own the balance of the said stock."

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Robertson, Somers—5.

NAYS—Messrs. Allen, A. Y. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Stults.—10.

So said motion

Was not agreed to.

The first section, so substituted, was then agreed to.

Mr. A. V. Bonnell offered a new section, to be called section 2, as follows:

2. *And be it enacted*, If any of the owners of stock in the aforesaid association, under the name of the "Hunterdon County Bank," shall not choose to subscribe for the said stock of the bank incorporated under this charter, for all or any portion of the stock, he, she or they may hold in the said association at the date of the passage of this act, then and in that case the bank incorporated under this charter shall take and receive, of each and every of the said owners of said stock, in said association, his, her or their stock therein, and shall pay in cash therefor, to said stockholder or stockholders, the full amount which shall have been actually paid in to said association, upon his, her or their certificate or certificates of stock therein—the said owner or owners first receiving from said association his, her or their full dividend of all the nett earnings or profits of said association up to the time of the transfer so as aforesaid to be mede—and said commissioners shall allot and apportion the same, as well as that which they may have deducted from any stockholder's subscription over and above the amount of five thousand dollars, as provided for in the first section hereof, equitably to and among the subscribers, other than the aforesaid stockholders of said association, if any, and if none, or those subscribing should decline to take the same, then the commissioners shall apportion the same to the stockholders of said association, who shall have subscribed to the stock of the bank incorporated under this charter.

Which being read,

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Roberts, Stults,—9.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey Laird, Rea, Robertson, Somers—7.

So said section

Was agreed to.

Mr. A. V. Bonnell moved to substitute a new section, to be called section 3, as follows:

3. *And be it enacted*, That the association aforesaid, under

the name of the "Hunterdon County Bank," shall, on the passage of this act, and the acceptance of the same by the directors, signified by a certificate of such acceptance signed by the president and cashier, under the seal of the said association, and filed in the office of the Treasurer of this State, be deemed and taken as merged in the corporation created by this act; and from that time all the property real and personal of said association shall rest in and be deemed and taken as belonging to the new company chartered by this act, their successors and assigns; and with the same remedies at law and in equity in respect thereto as if the original association and subscription to the stock had been made under this act. *Provided*, that the new corporation shall be liable to all the responsibilities and obligations of the said association; *And provided*, that the bills of the association in circulation shall be redeemed in the manner and under the provisions of the aforesaid act, entitled "an act to authorize the business of banking," and the supplements thereto made for any association desirous of relinquishing the business of banking: *And provided further*, that the Treasurer of this state, on being presented with any amount of said bills, and cancelling the same, not less than one thousand dollars at a time, shall give up to the said corporation an equal amount of stock or securities pledged for the redemption thereof, to be selected by the Treasurer.

Mr. Hoxsey moved to amend the same by inserting in the eighth line, after the word *act*, the following words—"*provided* that such contract shall not be of any binding force or validity, except upon the stockholders of said bank who shall have assented thereto."

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (President) Depew, Hoxsey, Laird, Robertson, Somers, —6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

So said motion

Was not agreed to.

The third section so substituted, was then agreed to.

The fourth section was then considered, amended and agreed to.

The fifth section of said bill as follows :

5. *And be it enacted*, That the sums subscribed shall be paid in manner following, that is to say : five dollars on each share at the time of subscribing, to the persons receiving subscriptions, and the remainder in instalments of five dollars on each share, when called for by the president and directors of said company, appointed and chosen in the manner hereinafter prescribed, upon thirty day's previous notice being given by the cashier of the said company in the newspapers aforesaid; and any person, copartnership or body politic failing to pay any instalments or any part thereof, at the time prescribed and required, shall forfeit to the said company every share upon which there shall be a deficiency, and all money thereon previously paid;

Being under consideration,

Mr. A. V. Bonnell moved to amend the same by adding at the end of said section the following words—

Provided, however, that the certificates of stock of the aforesaid association under the name of the "Hunterdon County Bank" shall be received by said commissioners, and deemed and taken as so much cash, to the full amount of cash actually paid in to said association thereon from said stockholders of said association, who may subscribe for the said stock of the bank incorporated under this charter;

Which amendment was agreed to, and the section as amended agreed to.

The *sixth section* of said bill, as follows :

6. *And be it enacted*, That it shall not be lawful for this corporation to commence banking operations until fifty per cent. of its capital shall be actually paid in gold or silver or in the notes of specie paying banks, and an affidavit setting forth such fact shall be sworn to by the President and Cashier, and filed in the office of the Treasurer of this State,

Being under consideration,

Mr. A V. Bonnell moved to amend the same by inserting af-

ter the word "*banks*" in the third line of said section, the words "*or in the aforesaid certificates of stock of the aforesaid association.*"

Which amendment was agreed to, and the section as amended agreed to.

The *seventh section* of said bill, as follows:

7. *And be it enacted*, That all the property and concerns of the said corporation shall be managed and conducted by nine directors, all of whom shall be stockholders and citizens of this State, and shall have been residents within the county of Hunterdon for at least three years immediately preceding their election, and shall continue to reside therein during their continuance in office; and that as soon as one thousand shares shall be subscribed, the persons hereby empowered to receive subscriptions, or a majority of them may call a meeting of the subscribers, at Flemington, aforesaid, by giving at least three weeks previous notice in the newspapers aforesaid; and the subscribers assembled in consequence of said notice shall choose by ballot from among themselves by a majority of such as are present, or by proxy, nine directors as aforesaid, who shall hold their offices until the first Monday in January, in the year of our Lord one thousand eight hundred and fifty-six, and until others shall be chosen by the stockholders; and the said directors shall choose one of their number for President, as herein after directed; and all moneys received by the commissioners on the subscriptions to the said capital stock, excepting so much as shall be allowed for their services, shall be delivered over to the said directors, when duly organized, together with the original books of subscription,

Being under consideration,

Mr. A. V. Bonnell moved to amend the same by striking out the word "*nine*" in the second line of said section in the printed bill, and inserting the word "*thirteen*" in the place thereof—also, by striking out the word "*one*" in the fifth line, and inserting the word "*four*" in the place thereof—also, by striking out the word "*nine*" in the tenth line and inserting the word "*thirteen*" in the place thereof—also, by inserting after the word "*moneys*" in the thirteenth line, the words "*on certificates of said association*"—also, by striking out in the fourteenth line after the word "*stock*"

the words "*excepting so much as shall be allowed for their services.*"

Which amendments were agreed to, and the section as amended agreed to.

The eighth, ninth, tenth, and eleventh sections of said bill were then considered and agreed to.

The twelfth section was taken up.

Mr. Hoxsey moved to take up the articles comprised in said section separately.

Which motion was agreed to.

The first article in said section as follows—

ARTICLE I.

The number of shares to which each stockholders shall be entitled shall be according to the number of shares he, she or they shall hold, in the proportion following, that is to say: for one share, and not exceeding twenty shares, one vote for every share; for every two shares above twenty, and not exceeding forty shares, one vote; and for every three shares above forty shares one vote, which he, she or they shall have held in his, her or their name or names at least three months before the time of voting—

Being under consideration,

Mr. A. V. Bonnell moved to amend the same by striking out the word "*shares*" in the first line of the printed bill, and inserting the word "*votes*" in the place thereof—also by striking out the word "*twenty*" in the third line, and inserting the word "*forty*" in the place thereof—also by striking out the word "*twenty*" in the fourth line, and inserting the word "*forty*" in the place thereof—also by striking out the word "*forty*" in the same line, and inserting the word "*eighty*" in the place thereof—also by striking out the word "*forty*" in the fifth line, and inserting the word "*eighty*" in the place thereof.

Which motion was agreed to, and the article as amended agreed to.

The second and third articles of said section were then considered and agreed to.

The fourth article of said section as follows—

ARTICLE IV.

That all the books of the company shall, at any time during the usual hours of transacting business, be opened to the examination of every stockholder of such company for fifteen days previous to any election of directors; and if any officer having charge of said books, shall, upon demand by any stockholder as aforesaid refuse or neglect to exhibit such books, or submit them to examination as aforesaid by such stockholder, he shall, for every such offence, forfeit the sum of two hundred dollars, the one-half thereof to the use of the state of New Jersey, and the other moiety to the person who will sue for the same, to be recovered, by action of debt, in any court of record together with the costs of such suit; and further, that the book or books aforesaid shall be evidence who are the stockholders of such company entitled to examine such book or books, and to vote in person or by proxy at any election for director of said company.

Being under consideration—

Mr. Hoxsey moved to amend the same by striking out after the word "*Company*" in the second line of printed bill the words "*for fifteen days previous to any election of directors*;"

Which motion was agreed to, and the article as amended, was agreed to.

The fifth article as follows—

ARTICLE V.

Not less than five directors shall constitute a quorum to do business, of whom the president shall always be one, except cases of sickness or necessary absence, in which case his presence may be supplied by any other director, chosen by the directors so met for business: *provided, however*, that three directors, when met for that purpose, may be allowed to make discounts:

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word "*three*," in the fourth line of the printed bill, and insert the word "*five*" in the place thereof.

Which motion was agreed to, and the article as amended was agreed to.

The sixth and seventh articles were then considered and agreed to.

The eighth article as follows—

ARTICLE VIII.

The total amount of debts which the said corporation shall at any time owe, exclusive of deposits, whether by bond or bill, or note, or other contract, shall not exceed double the amount of the capital paid in: and in case the said debt shall exceed double the amount of the capital paid in, then and in such case the directors (except as hereinafter excepted) under whose administration such malpractice shall occur, shall be liable to pay every creditor of the said bank the amount of such claim, as such creditor may have against said bank, to be recovered by action of debt, with costs of suit; *provided always*, that no director shall be liable as aforesaid who shall have been absent from the meeting of the board, or shall have dissented from the act or resolution by which such malpractice shall have been authorized: *and provided also*, that such director shall forthwith give notice of the fact of his absence or dissent to the governor of the state for the time being, and to the stockholders at a general meeting, which the said director shall have power to call for that purpose.

Being under consideration,

Mr. A. V. Bonnell moved to strike out at the end of the first line and the beginning of the second line, the words "*exclusive of*," and insert the words "*over and above the actual*" in the place thereof.

Which motion was agreed to.

Mr. Hoxsey moved to strike out the word "*double*" in the second and third lines thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Stults —11.

So said motion

Was not agreed to.

The same Senator then moved to strike out the word "*double*" in the second and third lines thereof, and insert the words, "*more than one and a half*" in the place thereof.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Laird, Martin, Rea, Roberts, Stults—10.

So said motion

Was not agreed to.

The same Senator then moved to strike out the *two provisos* at the end of said article.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, as follows:

AYES—Messrs. Alexander, (Pres.), Depew, Franklin, Hoxsey, Laird, Robertson—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Martin, Rea, Roberts, Stults—9.

So said motion

Was not agreed to.

The article as amended was then agreed to.

The remaining articles in said section were then considered and agreed to.

The said twelfth section, as amended, was then agreed to,

The thirteenth section as follows—

13. *And be it enacted*, That the said corporation shall not issue any notes or bills of a less denomination than one dollar: nor shall any note or bill issued by the said corporation, and made payable to bearer, or to any person or persons, his, her, or their order or bearer, express any other place of payment than the office of the said banking company.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word "*one*" in the second line of the printed bill, and inserting the word "*five*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Mr. Hoxsey—1.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Stults—12.

So said motion

Was not agreed to.

Said section was then agreed to.

The fourteenth section was then considered and agreed to.

The fifteenth section, as follows:

15. *And be it enacted*, That if, at any time after the passing of this act, the said president, directors, and company, shall neglect or refuse, on demand being made at their banking-house at any time during the regular hours of business, to redeem in specie any of the bills, notes, or other evidences of debt, issued by the said corporation, and which shall be due and payable, the said president, directors, and company shall, on pain of for-

feiture of their charter, wholly discontinue and close their banking operations, either by way of discount or otherwise, unless the said president, directors, and company shall resume the redemption of their bills, notes, and evidences of debt, in specie, within thirty days after such demand shall have been made; and the said company shall be liable to pay to the holder or holders of such notes or bills the payment whereof has been refused or delayed upon demand as aforesaid, damages for the non-payment thereof at and after the rate of ten per centum per annum from the time of such demand, and until the same shall be paid or otherwise satisfied; and the president and directors of said corporation shall individually, and jointly and severally be and continue liable to every creditor for the payment of any bills obligatory or of credit, note or notes, that they or any of them may issue or circulate; and upon demand of payment being made at the bank during the usual hours of business, and refusal thereof, an action may be brought against the said persons then acting as president and directors of the said company, jointly and severally; and it shall be lawful for the said plaintiff or plaintiffs to declare therein generally for money had and received, with a specification of the dates, sums, payees, and numbers of the said bills or notes so demanded, and payment whereof hath been neglected or refused; and upon judgment being rendered, execution may issue as in other cases.

Being under consideration,

Mr. A. V. Bonnell moved to amend said section by inserting after the word "*satisfied*" in the thirteenth line of printed bill, the following words:

"And if the said corporation shall become insolvent, the whole assets of said corporation at the time of its becoming insolvent, shall be first liable for its bills or notes in circulation, and shall be first applied to the payment thereof; and in case of a distribution of the assets of said corporation among the creditors thereof, under the order or decree of the court of chancery or other court, the holders of such bills or notes shall be equal in priority, and shall have a preference over all others.

Which motion

Was agreed to.

The same Senator also moved to amend said section by striking out in the fifteenth line, after the word "*notes*," the words

"*that they or any of them may issue or circulate*" and insert in the place thereof the words "*which may be in circulation at the time of its becoming insolvent.*"

Which motion

Was agreed to.

The same Senator moved to amend said section by inserting at the end of the same the following words:

"*Provided*, That no suit at law or equity shall be commenced against any director or directors to recover the amount of any such bills or notes until after six months from the time the said corporation shall become insolvent and suspend payment; and, in case of any payment of such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other.

Mr. Hoxsey moved to amend said amendment by striking out the words "*six months*," and insert the words "*five days*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing thereto, were as follows:

AYES—Messrs Alexander, (Pres.), Depew, Hoxsey, Laird, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnll, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

So said amendment to the amendment

Was not agreed to.

The same Senator then moved to amend said amendment by striking out the words "*six months*" and inserting the words "*twenty days*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Laird, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults,—10.

So said amendment to the amendment

Was not agreed to.

The same Senator then moved to amend said amendment by striking out the word "*six*," and inserting the word "*one*" in the place thereof.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Laird, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

So said motion to amend the amendment

Was not agreed to.

The same Senator then moved to amend said amendment by striking out the word "*six*," and inserting the word "*two*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

So said motion to amend the amendment

Was not agreed to.

Mr. Robertson now moved that the Senate adjourn.

The ayes and nays being demanded and ordered thereon, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Rea, Robertson, Somers—7.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Roberts, Stults—9.

So said motion

Was not agreed to.

Mr. Hoxsey then moved to amend the amendment by striking out the word "*six*," and inserting the word "*three*," in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing thereto were as follows—

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

So said motion to amend the amendment

Was not agreed to.

The same Senator then moved to amend the amendment by striking out the word "*six*," and inserting the word "*four*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults,—10.

So said amendment to the amendment

Was not agreed to.

The same Senator then moved to amend said amendment by

striking out the word "*six*," and inserting the word "*five*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Depew, Hoxsey, Robertson,—3.

NAYS—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Stults—12.

So said motion, to amend the amendment,

Was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to the amendment to the said section, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Roberts, Stults—9.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Rea, Robertson—6.

So said amendment

Was agreed to.

Mr. Hoxsey then moved to strike out after the word "*received*," in the nineteenth line of said section, the words—"with a specification of the dates, sums, payees, and numbers of the said bills or notes so demanded, and payment whereof hath been neglected or refused; and upon payment being rendered, execution may be issued as in other cases."

Which motion was agreed to.

The same Senator then moved that the further consideration of said section be postponed for the present.

Which motion was not agreed to.

The said section, as amended, was then agreed to.

The same Senator then moved that the Senate adjourn.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Somers—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

So said motion

Was not agreed to.

The sixteenth section was then considered, amended and agreed to.

Mr. Hoxsey moved to substitute a new section, to be called section seventeen, as follows—

17. *And be it enacted*, That it shall be the duty of the said bank, upon the first Monday of each and every month, to publish in at least one newspaper published in the county of Hunterdon, a statement of the actual condition of said bank, containing

1. The gross amount of discounts at the date of such statement.
2. The amount of *bona fide* loans to citizens of New Jersey, particularly designating what portion thereof may be good, and what portion may be doubtful or bad.
3. The amount loaned to persons non-residents of the state, particularly designatiug what portions thereof may be good and what portion may be bad.
4. The average amount of specie for the preceding month, bona fide the property of said bank, held for the purpose of the redemption of circulation.
5. The average amount of circulation for the preceding month, which shall include all bills or notes of said bank that have passed from out aforesaid bank for any purpose whatever.
6. The names of the directors of said bank, at the time of uch st ate ments.

Which section was accepted, and the same agreed to.

The nineteenth section of said bill, as follows—

19. *And be it enacted*, That if said company shall at any hereafter deem it expedient, it shall be lawful for them to increase their capital stock to one hundred thousand dollars, by opening subscriptions for the additional sum of fifty thousand dollars, in the same manner and under the same provision as is directed and contained in the first section of this act, and subject to all the conditions and regulations herein before imposed, except that the commissioners for receiving said subscriptions, may be appointed by the said company,

Being under consideration,

Mr. A. V. Bonnell moved to amend the same by inserting the words "*and fifty*" after the word "*hundred*," in the second line; also, by striking out the words "*and under the same provision*"; also, "*and contained*" in the fourth line; also, by striking out the words "*and subject to all the conditions herein before imposed*," in the fifth line.

Which amendments were agreed to, and the section as amended agreed to.

The twentieth and twenty-first sections of said bill were then considered and agreed to.

The title of said bill, as follows:

An act to incorporate the Farmers Bank, of the county of Hunterdon, at Flemington,

Was then taken up and read.

Mr. A. V. Bonnell moved to amend the same by striking out the words "the Farmers Bank, of the county of Hunterdon, at Flemington," and inserting the words "the Hunterdon County Bank" in the place thereof.

Which amendment was agreed to.

Mr. Hoxsey moved the further consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Somers—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

So said motion

Was not agreed to.

The same Senator then moved that the Senat now adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, as follows:

AYES—Messrs. Alexander, (Pres.), I. Bonnell, Depew, Franklin, Hoxsey, Laird, Robertson, Somers—8.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Martin, Rea, Roberts, Stults—8.

So said motion

Was not agreed to.

The title of said bill as amended, was then agreed to.

Mr. Hoxsey moved that the further consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (President) Hoxsey, Laird—3.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

So said motion

Was not agreed to.

Mr. Depew moved that said bill, as amended, be now read.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Depew, Hoxsey—2.

NAYS—Messrs. Allen, A. V. Bonnell, I.Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Stults —11.

So said motion

Was not agreed to.

Mr. Hoxsey moved that the Senate now adjourn.

Which motion was not agreed to.

Said bill having been read a second time, considered by sections amended and agreed to,

Upon the question of ordering the same to be engrossed for a third reading,

Mr. Hoxsey demanded the ayes and nays, which being ordered, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Robertson, Stults—13.

NAYS—Messrs. Depew, Hoxsey—2.

So said bill

Was ordered to be engrossed and have a third reading.

Mr. A. V. Bonnell moved to take up

The bill entitled,

An act to increase the capital of the State Bank at Elizabethtown,

Which was postponed yesterday, while under consideration.

Which motion was agreed to.

The same Senator moved to re-consider the vote by which section third was added to said bill.

Which motion was agreed to, and the vote re-considered accordingly.

On motion of Mr. Chetwood,

The further consideration of said bill was postponed for the present.

On motion of Mr. Allen,

The Senate adjourned.

At 3 o'clock the Senate met.

The bill entitled,

A further supplement to an act entitled, "An act for the more easy partition of lands held by co-partners, joint tenants, and tenants in common," approved April sixteenth, eighteen hundred and forty-six:

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to authorize a trustee therein named to sell certain real estate, late of Jedediah Elwell, deceased;

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed, and have a third reading.

Mr. Hoxsey presented a remonstrance from A. S. Stoutenborough and others, citizens of the couty of Passaic, against the passage of any bills before the Senate for the incorporation or re-incorporation of any banks in this state.

On motion of the same Senator,

The remonstrance was read, and referred to the Committee on Corporations.

On motion of Mr. Allen,

The bill entitled,

An act to extend the charter of the Farmer's Bank of New Jersey, with amendments,

Was taken up and read a second time, and the first and second sections thereof considered and agreed to.

The third section, as follows:

3. *And be it enacted,* That the President and Directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, and may be, jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes in the same manner as if executed by them in their natural capacity; and it shall not be competent for any director fraudulently to resign his office with intent to avoid such liability, and if any director shall so attempt to resign his office with intent to avoid such liability, he shall be and continue liable, the same as if no such resignation had been attempted; *provided,* that no suit at law or in equity shall be commenced against any director or directors, to recover the amount of any such bills or notes until after six months from the time

said corporation shall have become insolvent and suspended payment, and in case of any payment of such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out after the words "*attempted*," in the tenth line, the words, "*provided* that no suit at law or in equity shall be commenced against any director or directors to recover the amount of any such bills or notes until after six months from the time said corporation shall become insolvent and suspend payment; and in case of any payments of said bills or notes by any of said directors, the other directors who may be liable shall account in the same same way as other joint debtors are accountable to each other."

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Robertson, Somers—7.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Stults—8.

So said motion

Was not agreed to.

The same Senator then moved to strike out the word "*six*," in the twelfth line of said section, and insert the word "*two*" in the place thereof.

The ayes and nays and nays being demanded and ordered upon agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Laird, Robertson, Somers—7.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Stults—9.

So said motion

Was not agreed to.

Said section was then agreed to.

The fourth section of said bill as follows :

4. *And be it enacted*, That in case of any action at law against any director or directors under the preceding sections of this act, the plaintiff or plaintiffs may declare generally for money had and received; *provided*, that a schedule shall be annexed to said declaration setting forth that the said action is under and by virtue of the provisions of this act, and shall specify the dates, sums, payees and numbers of the notes or bills upon which said action is brought,

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out all after the word "*received*," in the third line of said section.

The ayes and nays being demanded and ordered upon the question of agreeing thereto, were as follows :

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnll, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Stults—10.

So said amendment

Was not agreed to.

Said section was then agreed to.

The fifth section of said bill, as follows —

5. *And be it enacted*, That the bills or notes issued by said corporation shall not at any time exceed double the amount of its capital stock, actually paid in ; and if the president or cashier thereof shall knowingly or wilfully issue, or cause or suffer to be issued, bills or notes of said corporation exceeding double the amount of its capital stock, actually paid in, such president or cashier shall be deemed guilty of a misdemeanor, and on con-

viction thereof shall be punished by fine not exceeding five thousand dollars, at the discretion of the court,

Being under consideration,

Mr. Bramhall moved to strike out the word "*double*" in the second and fourth line of said section.

The ayes and nays being demanded and ordered upon the question of agreeing thereto were as follows—

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Stults—10.

So said motion

Was not agreed to.

Said section was then agreed to.

The sixth section was then considered and agreed to.

Mr. Hoxsey then moved to add an additional section to said bill, to be called section seven, as follows—

17. *And be it enacted*, That it shall be the duty of the said bank, upon the first Monday of each and every month, to publish in at least one newspaper published in the county of Hunterdon, a statement of the actual condition of said bank, containing

1. The gross amount of discounts at the date of such statement.

2. The amount of *bona fide* loans to citizens of New Jersey, particularly designating what portion thereof may be good, and what portion may be doubtful or bad.

3. The amount loaned to persons non-residents of the state, particularly designatiug what portions thereof may be good and what portion may be bad.

4. The average amount of specie for the preceding month, bona fide the property of said bank, held for the purpose of the redemption of circulation.

5. The average amount of circulation for the preceding month, which shall include all bills or notes of said bank that have passed from out aforesaid bank for any purpose whatever.

6. The names of the directors of said bank, at the time of such statements.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said article, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Robertson, Somers—7.

NAYS—Messrs. Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Stults—8.

So said additional section
Was not agreed to.

On motion of Mr. Allen,

The further consideration of said bill

Was postponed for the present.

The bill entitled,

An act to incorporate the Indigent Widows' and Single Women's Home Society,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

Mr. Bramhall gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A further supplement to an act entitled "An act to authorize the construction of works for supplying Jersey City and places adjacent with pure, wholesome water," passed March twenty-fifth, eighteen hundred and fifty-two.

On motion of Mr. Hoxsey,

The Senate adjourned.

WEDNESDAY, January 24, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Brown.

The journal of yesterday was read and approved.

Mr. Roberts, from the Committee on the Unfinished Business of the last session, presented the following. report :

Report of the Committee of the Senate on the Unfinished Business of the session of 1854.

The Committee on Unfinished Business beg leave to report the following bills on file—

Senate engrossed bill No. 34, being
An act to create the County of Union.

Also,

Senate engrossed bill No. 118, being
An act to incorporate the Bay City Company.

Also,

Senate bill No. 135, being
An act to annex part of the township of Nottingham, in the county of Mercer, to the city of Trenton, and the residue thereof to the township of Hamilton, in the said county.

JOHN K. ROBERTS, } Committee on Un-
ISAAC BONNELL, } finished Business.

Which was read, and ordered to be printed.

Mr. A. V. Bonnell, from the Committee on Corporations, to which was referred

The bill entitled,

An act to renew the charter of the Trenton Banking Company,

Reported the same,
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A further supplement to an act entitled, "An act for the more easy partition of lands held by co-partners, joint tenants, and tenants in common," approved April sixteenth, eighteen hundred and forty-six:

Also,
The bill entitled,

An act to incorporate the Indigent Widows' and Single Women's Home Society, of Trenton;

Also,
The bill entitled,

An act to authorize William Bailey, senior, to sell certain real estate, late of Jedediah Elwell, deceased;

And find the same to be correctly engrossed.

Mr. Roberts gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Camden and Blackwoodtown Turnpike Company.

Mr. Roberts offered the following resolution:

Resolved, That the Secretary be authorized to procure jap-

anned tin boxes for the Senators and officers of the Senate, the same as provided for the members of Assembly.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Depew, Rea, Roberts, Somers, Stults—10.

NAYS—Messrs. Cowperthwaite, Franklin, Hoxsey, Martin—4.

So said resolution

Was agreed to.

Mr. Rea, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Hackettstown Bank, of the county of Warren;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The engrossed bill entitled,

An act to authorize William Bailey, senior, to sell certain real estate, late of Jedediah Elwell, deceased,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Hoxsey, Martin, Rea, Roberts, Robertson, Somers, Stults—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Indigent Widows' and Single Women's Home Society, of Trenton,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Hoxsey, Martin, Rea, Roberts, Robertson, Somers, Stults—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill entitled,

An act to extend the charter of the Farmers Bank of New Jersey,

With amendments,

Which was postponed yesterday while under consideration,

Was taken up, and while under consideration

Was postponed for the present.

The President laid before the Senate the following communication:

To Hon. William C. Alexander,

President of the Senate—

SIR:

The members of the Senate are respectfully invited to attend a meeting to be held at 12 o'clock, to-day, in the City Hall, Trenton, for the purpose of organizing a State Agricultural Society.

On behalf of a committee appointed at a preliminary meeting,

Yours respectfully,

CHARLES REEVE.

January 24, 1855.

Which was read,

And,

On motion of Mr. Hoxsey,

The invitation was accepted.

The bill entitled,

A further supplement to an act entitled "An act for the more easy partition of land held by co-parceners, joint tenants, and tenants in common," approved April sixteenth, eighteen hundred and forty-six,

Was taken up, read a third time, and the further consideration of the same postponed for the present.

Mr. Allen called up

The bill entitled,

An act to extend the charter of the Burlington County Bank, at Medford;

Which was read a second time, and the first section thereof, as follows:

1. BE IT ENACTED, *by the Senate and General Assembly of the State of New Jersey*, That the act entitled, "An act to incorporate the Burlington County Bank, at Medford, to be located in the town of Medford, in the County of Burlington," passed the first day of March, eighteen hundred and thirty-seven, shall be, and hereby is continued and extended for and during

the term of twenty years from and after the time by the said act limited for its continuance.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word "*twenty*" in the fifth line, and inserting the word "*five*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—9.

So said amendment

Was not agreed to.

The same Senator then moved to strike out the word "*twenty*" in the fifth line of said section, and insert the word "*ten*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to the amendment to the said section, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—9.

So said amendment

Was not agreed to.

The same Senator called for the reading of the annual report of the said bank,

Which was read.

The same Senator then moved that the further consideration of said bill be indefinitely postponed.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Roberts, Robertson, Stults—11.

So said motion was not agreed to.

Said section was then agreed to.

The second section thereof was then considered and agreed to.

The third section thereof, as follows:

3. *And be it enacted,* That the President and Directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, and may be, jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes in the same manner as if executed by them in their natural capacity; and it shall not be competent for any director fraudulently to resign his office with intent to avoid such liability, and if any director shall so attempt to resign his office with intent to avoid such liability, he shall be and continue liable, the same as if no such resignation had been attempted; *provided,* that no suit at law or in equity shall be commenced against any director or directors, to recover the amount of any such bills or notes until after six months from the time said corporation shall have become insolvent and suspended payment, and in case of any payment of such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other.

Mr. Hoxsey moved to strike out the *proviso* in said section, being all after the word "*attempted*" in the tenth line.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, Bramhall, (Pres.), Depew, Hoxsey, Robertson—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—9.

So said amendment

Was not agreed to.

Mr. Bramhall moved to strike out the word "*and*" in the first line of said section, and insert after the word "*directors*" in the same line, the words "*and stockholders.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—9.

So said amendment

Was not agreed to.

Mr. Hoxsey moved to amend said section by striking out the word "*six*" in the twelfth line of said section, and inserting the word "*two*" in the place thereof.

The ayes and nays and nays being demanded and ordered upon agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Robertson, Somers—7.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—9.

So said amendment

Was not agreed to.

The same Senator moved to strike out the word "*six*" in the twelfth line of said section, and insert the word "*four*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—9.

So said amendment

Was not agreed to.

The fourth section of said bill, as follows:

4. *And be it enacted*, That in case of an action at law against any director or directors under the preceding section of this act, the plaintiff or plaintiffs may declare generally for money had and received; *provided*, that a schedule shall be annexed to said declaration setting forth that the said action is under and by virtue of the provisions of this act, and shall specify the dates, sums, payees, and number of the notes or bills upon which said action is brought.

Being under consideration,

Mr. Hoxsey moved to strike out the proviso in said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Somers—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—9.

So said motion

Was not agreed to.

Said section was then agreed to.

The fifth section of said bill, as follows —

5. *And be it enacted*, That the bills or notes issued by said corporation shall not at any time exceed double the amount of its capital stock, actually paid in; and if the president or cashier thereof shall knowingly or wilfully issue, or cause or suffer to be issued, bills or notes of said corporation exceeding double the amount of its capital stock, actually paid in, such president or cashier shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding five thousand dollars, at the discretion of the court,

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word "*double*" in the second and fourth lines thereof.

The ayes and nays being demanded and ordered upon the question of agreeing thereto were as follows—

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Robertson—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—9.

So said amendment

Was not agreed to.

Said section was then agreed to.

The same Senator then offered an additional section, to be called section six, as follows:

17. *And be it enacted*, That it shall be the duty of the said bank, upon the first Monday of each and every month, to publish in at least one newspaper published in the county of Hunterdon, a statement of the actual condition of said bank, containing

1. The gross amount of discounts at the date of such statement.

2. The amount of *bona fide* loans to citizens of New Jersey, particularly designating what portion thereof may be good, and what portion may be doubtful or bad.

3. The amount loaned to persons non-residents of the state, particularly designating what portions thereof may be good and what portion may be bad.

4. The average amount of specie for the preceding month, bona fide the property of said bank, held for the purpose of the redemption of circulation.

5. The average amount of circulation for the preceding month, which shall include all bills or notes of said bank that have passed from out aforesaid bank for any purpose whatever.

6. The names of the directors of said bank, at the time of such statements.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—9.

So said additional section was not agreed to.

Mr. Hoxsey then moved to add an additional section to said bill, to be called section six, as follows—

6. *And be it enacted*, That the extension of this act shall be invalid and of no effect, unless such extension have the written consent of all the stockholders of such bank to such extension, agreeing thereto.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

So said additional section

Was not agreed to.

The sixth section of said bill was then considered and agreed to.

The title was then read and agreed to.

Upon the question of ordering said bill to be engrossed for a third reading,

Mr. Hoxsey demanded the ayes and nays, which being ordered, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults —10.

NAYS—Messrs. Bramhall, Depew, Hoxsey—3.

So said bill

Was ordered to be engrossed, and have a third reading.

Mr. A. V. Bonnell in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act relative to the quantity of land that may be held by certain Railroad Companies.

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Hoxsey, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A further supplement to the act entitled "an act to incorporate the New York and Paterson Plank Road Company," approved March eighteenth, eighteen hundred and fifty-one;

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

Mr. Bramhall gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A further supplement to the act entitled, "An act against

Usury," approved April tenth, A. D. eighteen hundred and forty-six.

On motion of Mr. Roberts,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Rea moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A further supplement to the act entitled "An act to incorporate the Morris and Essex Railroad Company," passed the the twenty-ninth day of January, one thousand eight hundred and thirty-five.

Which was read the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The same Senator, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Phillipsburg Bank.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, as follows:

HOUSE OF ASSEMBLY, January 24, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly has passed

The bill entitled,

An act relative to the Public Printing.

Also,

The bill entitled,

An act to incorporate the Weymouth Farm and Agricultural Company,

Also,

The bill entitled,

A supplement to the act entitled 'An act to incorporate the Raritan and Delaware Bay Railroad Company;

Also,

The bill entitled,

A further supplement to an act entitled, "An act to incorporate the Moorestown and Camden Turnpike Company," ap-

proved February twenty-eighth, eighteen hundred and forty-nine;

Also,

The bill entitled,

An act to confirm and amend the charter of the Gloucester Savings Fund and Building Association;

Also,

The bill entitled

An act to incorporate the Merchants Transportation Company of the City of Trenton;

Also,

The bill entitled,

An act to incorporate the Dover Mining and Manufacturing Company;

Also,

The bill entitled,

An act to incorporate the Raritan Bay and Bergen Iron Works Railroad Company;

In which the concurrence of the Senate is requested.

And further,

That the House of Assembly has passed

A bill from the Senate entitled,

A further supplement to the act entitled "An act to incorporate the Newark Mutual Fire Assurance Company," passed the fourth day of November, in the year of our Lord one thousand eight hundred and eleven,

Without amendment.

P. D. VROOM, Clerk.

The bill from the House of Assembly, entitled

An act to incorporate the Raritan Bay and Bergen Iron Works Railroad Company;

Was taken up, read for the first time by its title, ordered to have a second reading and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Dover Mining and Manufacturing Company;

Was taken up, and read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Merchants Transportation Company, of the City of Trenton;

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to confirm and amend the charter of "The Gloucester Savings Fund and Building Association;"

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

A further supplement to an act entitled "An act to incorporate the Moorestown and Camden Turnpike Company," approved February twenty-eighth, eighteen hundred and forty-nine;

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

A supplement to the act entitled "An act to incorporate the Raritan and Delaware Bay Railroad Company;"

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Weymouth Farm and Agricultural Company;

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled

An act relative to the public printing,

Was taken up and read for the first time by its title, and ordered to have a second reading.

The bill entitled,

A supplement to the act entitled "An act to incorporate the Newark Mutual Fire Assurance Company," passed the fourth day of November, in the year of our Lord one thousand eight hundred and eleven,

Having passed both Houses.

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

Mr. Hoxsey moved that the minority report of the committee on Public Printing be printed;

Which motion was agreed to, and said report ordered to be printed accordingly.

The same Senator offered the following resolution:

Resolved, That the printers of the Senate be authorized to deliver to each of the Law Commissioners fifty copies of their reports and the accompanying bills.

Which was read and agreed to.

The bill entitled,

An act to incorporate the Farmers' and Mechanics' Bank at Camden,

Which was postponed on Monday, whilst the fifth section thereof was under consideration,

Was taken up, and the fifth section read, considered and agreed to.

The sixth section was then taken up, considered and agreed to.

The seventh section thereof, as follows—

7. *And be it enacted*, That the said corporation shall not issue any notes or bills of a less denomination than one dollar: and the bills or notes which may be issued by said corporation, signed by the president and countersigned by the cashier, promising the payment of money to any person or persons, his, her or their order, or to bearer, although not under the seal of said corporation, shall be binding and obligatory on said corporation, and of like force and effect, and shall be assignable and negotiable in like manner, as if made by a natural person or persons; and all bills obligatory and of credit, under the seal of said corporation, which shall be made for the payment of money to any person or persons, shall be assignable by assignment endorsed thereon, under the hand or hands of such person or persons, and his, her, or their assignee or assignees successively, and all bills or notes, bills obligatory or of credit, made or issued by said corporation, shall be deemed and taken to be payable and demandable at the banking house of said corporation,

Being under consideration,

Mr. Bramhall moved to amend the same by striking out the word "*one*" in the second line, and inserting the word "*five*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Rea, Roberts, Stults—10.

So said amendment

Was not agreed to.

Said section was then agreed to.

The eighth section of said bill, as follows—

8. *And be it enacted*, That it shall be the duty of the board of directors of the said corporation to make semi annual dividends of so much of the profits of the business of said corporation as the said board shall deem advisable; but no dividend shall be made of any part of the capital stock,

Was then taken up and considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Rea, Roberts, Stults—10.

NAYS—Messrs. Bramhall, Depew, Hoxsey—3.

So said section

Was not agreed to.

The ninth section, as follows:

9. *And be it enacted*, That the rate of discount at which loans may be made by said corporation shall not exceed the legal rate of interest in this state, for the time being; *provided*, that nothing herein contained shall be construed to prohibit the

said corporation from dealing in bills of exchange, and the purchase and sale thereof,

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out, in the second line thereof, the words, "*the legal rate*," and inserting the words, "*six per cent.*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (President) Bramhall, Depew, Hoxsey, Laird, Somers, Stults—7.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Roberts,—7.

So said amendment

Was not agreed to.

The same Senator then moved to amend said section by striking out, in the second line, the words "*the legal rate*," and inserting the words "*five per cent.*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey —4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Stults —11.

So said amendment

Was not agreed to.

The same Senator then moved to amend said section by striking out the words, "*the legal rate*," and inserting the words "*seven per cent.*" in the place thereof.

The ayes and nays being demanded and ordered thereon, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Stults —11.

So said motion

Was not agreed to.

The same Senator then moved to amend said section by striking out the words "*the legal rate*," and inserting the words "*eight per cent.*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Stults—12.

So said motion

Was not agreed to.

Mr. Roberts moved that the Senate do now proceed to vote upon said section nine, without debate.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Martin, Rea, Roberts, Stults—8.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Franklin, Hoxsey, Laird, Somers—8.

So said motion

Was not agreed to.

Mr. Hoxsey then moved to amend said section by striking

out, in the second line, the words, "*the legal rate*," and inserting the words "*nine per cent.*" in the place thereof.

The ayes and nays being demanded and ordered upon agreeing to said amendment, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—11.

So said amendment

Was not agreed to.

The same Senator then moved to amend said section by striking out, in the second line, the words "*the legal rate*," and inserting the words "*ten per cent.*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Stults—12.

So said amendment

Was not agreed to.

Mr. Bramhall moved to amend said section by inserting after the word "*being*" in the third line, the words "*and which shall not exceed seven per cent of interest during the continuance of this charter.*"

Mr. Hoxsey moved to amend the same by striking out, in the second line thereof, the words, "*seven per cent*," and inserting the words, "*six per cent.*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment to the amendment, wereas follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

So said amendment to the amendment

Was not agreed to.

Upon the question of agreeing to the amendment to said section, the ayes and nays being demanded and ordered, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Franklin, Hoxsey, Laird, Rea, Somers—9.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Martin, Roberts, Stults—7.

So said amendment

Was agreed to.

The section as amended

Was then agreed to.

The tenth section was then considered and agreed to.

The eleventh section of said bill as follows:

11. *And be it enacted*, That if at any time the said corporation shall neglect or refuse, on demand being made at their banking house, during the regular hours of business, to redeem in lawful money, any of the bills or notes issued by said corporation, and which shall then be due and payable, the said corporation shall thereupon, under pain of forfeiting its charter, wholly discontinue and cease from banking operations, until such bills or notes shall be fully paid, and shall, until such bills or notes shall be fully paid, be deemed and considered insolvent.

Being under consideration, and

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Somers—6.

So said section was agreed to.

The twelfth section of said bill was then considered and agreed to.

Mr. Hoxsey then offered a substitute for section thirteen, as follows:

13. *And be it enacted*, That it shall be the duty of the said bank, upon the first Monday of each and every month, to publish in at least one newspaper published in the county of Burlington, a statement of the actual condition of said bank, containing

1. The gross amount of discounts at the date of such statement.

2. The amount of *bona fide* loans to citizens of New Jersey, particularly designating what portion thereof may be good, and what portion may be doubtful or bad.

3. The amount loaned to persons non-residents of the state, particularly designating what portions thereof may be good and what portion may be bad.

4. The average amount of specie for the preceding month, bona fide the property of said bank, held for the purpose of the redemption of circulation.

5. The average amount of circulation for the preceding month, which shall include all bills or notes of said bank that have passed from out aforesaid bank for any purpose whatever.

6. The names of the directors of said bank, at the time of such statements.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Rea, Roberts, Stults—10.

So said substitute

Was not agreed to.

The thirteenth section of said bill, as follows:

17. *And be it enacted,* That the President and Directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, and may be, jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes in the same manner as if executed by them in their natural capacity; and it shall not be competent for any director fraudulently to resign his office with intent to avoid such liability, and if any director shall so attempt to resign his office with intent to avoid such liability, he shall be and continue liable, the same as if no such resignation had been attempted; *provided,* that no suit at law or in equity shall be commenced against any director or directors, to recover the amount of any such bills or notes until after six months from the time said corporation shall have become insolvent and suspended payment, and in case of any payment of such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other.

Being under consideration,

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnll, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Roberts, Stults—11.

NAYS—Messrs. Bramhall, Depew, Hoxsey, Rea—4.

So said section

Was agreed to.

The fourteenth section of said bill, as follows:

14. *And be it enacted*, That in case of an action at law against any director or directors under the preceding section of this act, the plaintiff or plaintiffs may declare generally for money had and received; *provided*, that a schedule shall be annexed to said declaration setting forth that the said action is under and by virtue of the provisions of this act, and shall specify the dates, sums, payees, and number of the notes or bills upon which said action is brought.

Being under consideration,

Mr. Hoxsey moved to strike out the proviso in said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Franklin, Hoxsey, Laird—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Martin, Rea, Roberts, Stults—9.

So said motion

Was not agreed to.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird—5.

So said section was agreed to.

The fifteenth section of said bill, as follows—

15. *And be it enacted*, That the bills or notes issued by said corporation shall not at any time exceed double the amount of its capital stock, actually paid in; and if the president or cashier thereof shall knowingly or wilfully issue, or cause or suffer to be issued, bills or notes of said corporation exceeding double the amount of its capital stock, actually paid in, such president

or cashier shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding five thousand dollars, at the discretion of the court,

Being under consideration,

Mr. Bramhall moved to amend the same by striking out the word "*double*" in the second and fourth lines thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Laird—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

So said amendment

Was not agreed to.

Upon the question of agreeing to said fifteenth section,

The ayes and nays being demanded and ordered, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I, Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—11.

NAYS—Messrs. Bramhall, Depew, Hoxsey, Laird—4.

So said section

Was agreed to.

The sixteenth section was then considered and agreed to.

Mr. Hoxsey offered an additional section, to be called section seventeen, as follows:

17. *And be it enacted*, That the president, directors and stockholders of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all

the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, and may be jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes, as if the same were their own joint and several bills or notes, executed by them in their natural capacity; and it shall not be competent for any director, fraudulently to resign his office, nor for any stockholder to frandulently assign his stock, with intent to avoid such liability, and if any director or stockholder shall so attempt to resign his office, or assign his stock, with intent to avoid said liability, he shall be and continue liable the same as if no such resignation had been attempted.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows—

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Laird—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

So said section

Was not agreed to.

The seventeenth section, as follows—

17. *And be it enacted*, That this act shall be taken and deemed a public act, and shall go into effect immediately, and continue in force for twenty years; but it shall be lawful for the legislature, at any time hereafter, to alter, modify, or repeal the same, whenever, in their opinion, the public good shall require it.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the words, "*shall be deemed and considered a public act, and,*" between the words *act* in the first line, and the word *shall*, in the first line thereof.

Which amendment was agreed to.

The same Senator then moved that the further consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Somers, Stults—13.

So said motion
Was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Stults—12.

NAYS—Messrs. Bramhall, Depew, Hoxsey—3.

So said section was agreed to.

Mr. Allen then moved to re-consider the vote by which the second section of said bill was agreed to.

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator then moved to amend said section by striking out the words—" with privilege in the board of directors, of increasing the same to five hundred thousand dollars"—between the word *dollars*, in the second line, and the word *and*, in the third line.

Which amendment

Was agreed to.

The title of said bill, as follows,

An act to incorporate the Farmers' and Mechanics' Bank at Camden,

Being under consideration,

Mr. Hoxsey moved to amend the same, by striking out the words "*Farmers and Mechanics,*" and inserting the words "*brokers and money lenders*" in the place thereof.

The ayes and noes being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Depew, Hoxsey—2.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Somers, Stults—14.

So said motion

Was not agreed to.

The same Senator then moved to amend said title by striking out the words, "*and Mechanics.*"

Which motion

Was not agreed to.

The title of said bill was then agreed to, and the bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

The President laid before the Senate the following communication:

TRENTON, January 24, 1855.

To the Hon. the Senate of New Jersey:

Gentlemen—You are hereby respectfully invited to attend a public meeting of the G. Division of the Sons of Temperance. this evening, at 7 1-2 o'clock, at Temperance Hall.

By order of G. D.,

F. DEVEREUX,

Committee.

Which was read, and,

The invitation accepted.

On motion of Mr. Allen,

The Senate adjourned.

THURSDAY, January 25, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Van Horn.

The journal of yesterday was read and approved.

Mr. Somers presented a petition from the Board of Chosen Freeholders of the county of Atlantic, representing the heavy expense said county is annually put to, by reason of the large number of dead bodies cast on its shores by shipwreck and otherwise, and praying the passage of a law to relieve the sea-coast counties of such expense, by directing the same to be paid out of the State Treasury.

Which was read, and referred to the Committee on the Judiciary.

The same Senator presented a petition from Robert B. Risley and others, inhabitants of the county of Atlantic, upon the same subject.

Which was referred to the Committee on the Judiciary, without reading.

Mr. Chetwood, from the Committee on Corporations, to which was referred

The bill entitled,

An act to incorporate the Hacketstown Bank, of the County of Warren, at Hacketstown;

Also,

The bill entitled,

An act to incorporate the Phillipsburg Bank.

Also,

The bill entitled

A further supplement to the act entitled "an act to incorporate the New York and Paterson Plank Road Company," approved March eighteenth, eighteen hundred and fifty-one;

Also,

The bill entitled,

A further supplement to the act entitled "An act to incorporate the Morris and Essex Railroad Company," passed the the twenty-ninth day of January, one thousand eight hundred and thirty-five.

Also,

The bill from the House of Assembly, entitled

An act to incorporate the New Jersey Ocean Steam Navigation Company;

Also,

The bill from the House of Assembly, entitled

A further supplement to an act entitled, "An act to incorporate the Moorestown and Camden Turnpike Company," approved February twenty-eighth, eighteen hundred and forty-nine;

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Merchants Transportation Company of the City of Trenton;

Also,

The bill from the House of Assembly, entitled,

An act to confirm and amend the charter of "The Gloucester Savings Fund and Building Association;"

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Dover Mining and Manufacturing Company;

Reported the same, severally,
Without amendments.

Mr. Rea, from the Committee on Municipal Corporations, to which was referred

The bill entitled,

A further supplement to the act entitled "An act to incorporate the City of Paterson," approved March nineteenth, eighteen hundred and fifty-one.

Reported the same,
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to extend the charter of the Burlington County Bank, at Medford.

And find the same to be correctly engrossed.

Mr. Hoxsey offered the following resolution:

Resolved, That the various Bank applications be postponed until the annual statement of the several banks are printed and laid before the Senate.

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

Ayes—Messrs. Alexander, (Pres.), Depew, Hoxsey, Robertson, Somers—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Stults—11.

So said resolution

Was not agreed to.

The engrossed bill entitled,

A further supplement to an act entitled, "An act for the more easy partition of lands held by co-partners, joint tenants, and tenants in common," approved April sixteenth, eighteen hundred and forty-six:

Was taken up, and

On motion of Mr. Stults,

The vote by which said bill was ordered to be engrossed and have a third reading, was reconsidered.

The same Senator moved to re-commit said bill to the Committee on Corporations.

Which motion was agreed to, and said bill re-committed accordingly.

The bill entitled,

An act to authorize a subscription on the part of the State, to a new edition of Elmer's Digest of the Laws;

Was taken up and read a second time.

The first section thereof, as follows:

1. BE IT ENACTED, *by the Senate and General Assembly of the State of New Jersey*, That the Secretary of State be authorized to subscribe for ——— copies of the new edition of Elmer's Digest of the Laws of New Jersey, as proposed to be published by John T. Nixon, Esq.; *provided*, that the work shall in all respects correspond with the proposals laid before the Legislature; *and provided*, he can obtain the same at the rate of five ($5) dollars per copy.

Being under consideration,

Mr. Hoxsey moved to amend said section by filling up the blank in the same with the words "*seven hundred and fifty.*"

Mr. Franklin moved to amend said amendment by inserting the words "*one thousand*" in said blank, in the place of "*seven hundred and fifty.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Rea, Roberts, Robertson, Somers, Smith—12.

NAYS—Messrs. Cowperthwaite, Depew, Hoxsey, Martin, Stults—5.

So said amendment to the amendment

Was agreed to.

Said section as amended was agreed to.

The second section thereof was then considered and agreed to.

The third section thereof, as follows—

3. *And be it enacted*, That the Treasurer deliver to the Governor, the Secretary of State, the Treasurer, the Clerks of the Supreme Court and Chancery, the Justices of the Supreme Court the Attorney-General, the Clerks, Surrogates, and boards of Chosen Freeholders of the several counties, the Judges of the courts of Common Pleas, the Clerks of the respective townships, and to the members of the present and ensuing Legislature, each one copy of the said Digest; *provided*, that no person shall receive more than one copy.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out between the word "*townships*" in the fifth line, and the word "*each*" in the sixth line, the words "*and to the members of the present and of the ensuing Legislature.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I.Bonnell, Chetwood, Cowperthwaite, Franklin, Hoxsey, Martin, Rea, —9.

NAYS—Messrs. Allen, Howell, Roberts, Robertson, Somers Smith, Stults—7.

So said amendment

Was agreed to.

The section as amended was then agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed, and have a third reading.

The bill entitled,

An act to renew the charter of the Sussex Bank,
With amendments.

Was taken up, read a second time, and the first section thereof being under consideration,

Mr. Hoxsey moved to postpone the further consideration of said bill, to the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing thereto, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Franklin, Hoxsey, Robertson, Somers, Smith—7.

NAYS—Messrs. Allen, I. Bonnell, Chetwood, Cowperthwaite, Howell, Martin, Rea, Roberts—8.

So said motion

Was not agreed to.

The same Senator then moved that the further consideration of said bill be indefinitely postponed.

Mr. Allen moved to amend said motion by postponing the further consideration of said bill for the present.

Which amendment was agreed to, and

Said bill postponed accordingly.

The bill entitled,

A further supplement to an act entitled "An act to establish a Banking and Insurance Company in the town of Newark," and county of Essex," passed February seventeen, eighteen hundred and four;

Was taken up and read a second time.

Mr. Hoxsey moved that the further consideration of said bill be postponed to the next session of the Legislature.

Mr. Chetwood moved to amend said motion by postponing the further consideration of the same until to-morrow morning.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Howell, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults—14.

NAYS—Messrs. Depew, Hoxsey—2.

So said amendment was agreed to, and

The bill postponed until to-morrow-morning.

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered thereon, were as follows:

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Robertson, Smith—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Howell, Martin, Rea, Roberts, Stults—10.

So said motion to adjourn

Was not agreed to.

The bill entitled,

An act increasing and defining the powers of "the Rifton Manufacturing Company," in certain particulars;

Was taken up, read a second time, considered by sections, and ordered to be engrossed and have a third reading.

The bill entitled,

A further supplement to the act entitled "an act to incorporate the New York and Paterson Plank Road Company," approved March eighteenth, eighteen hundred and fifty-one;

Was taken up, read a second time, considered by sections, and ordered to be engrossed and have a third reading.

The bill entitled,

A Supplement to an the entitled "An act to secure to creditors an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors."

Was taken up, read a second time, and the first and second sections thereof considered and agreed to.

The third section thereof, as follows:

3. *And be it enacted*, That it shall and may be lawful for the assignee or assignees, or any creditor or other person interested in any account, to which exceptions have been filed as aforesaid, who may desire a trial by jury to ask for and demand such trial, whereupon the Orphans' Court in which such exceptions shall be filed, shall certify said exceptions and the account excepted to, in the Circuit Court of the County, to be tried in a summary way by the jury before said court, under such rules as the said court may from time to time prescribe, and the verdict, if satisfactory to said court, shall be returned to the said

Orphans Court with the certificate of the said Circuit Court, to be there proceeded on according to law.

Being under consideration,

Mr. Hoxsey moved to amend said section by striking out the words "*if satisfactory to said court,*" in the eighth line thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Alexander, (Pres.) Cowperthwaite, Depew, Franklin, Hoxsey, Martin, Robertson, Somers, Smith—9.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Rea, Stults—6.

So said amendment

Was agreed to.

Said section as amended was then agreed to.

The remaining sections of said bill were then considered and agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. Martin moved to re-commit

The bill entitled,

A supplement to the act entitled "An act to incorporate the Millstone and New Brunswick Railroad," passed the twenty-seventh day of February, A. D. eighteen hundred and thirty-seven;

Which motion was agreed to, and

Said bill re-committed to the Committee on Corporations.

Mr. Chetwood gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

ng a further appropriation for the prosecution of
An act maki vey of this State.
the Geological Sur. Donnell,

On motion of Mr. I. D.

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Rea gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to authorize the sale of the real estate of Abraham Arndt, late of the county of Warren, deceased.

Mr. Allen moved to re-consider the vote by which

The bill entitled,

An act to incorporate the Farmers' and Mechanics' Bank at Camden,

Was ordered to be engrossed, and have a third reading.

Which motion was agreed to, and the vote re-considered accordingly—and the bill ordered to stand upon its second reading.

The bill entitled,

An act to incorporate the Passaic Quarry Company,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, as follows:

HOUSE OF ASSEMBLY, January 25, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly has passed

The bill entitled,

An act for the suppression of Intemperance.

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill from the House of Assembly, entitled

An act for the suppression of Intemperance,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill entitled,

An act to renew the charter of the Sussex Bank, with amendments,

Which was postponed this morning, whilst the first section thereof was under consideration,

Was taken up.

Mr. Hoxsey moved that said bill be indefinitely postponed.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Depew, Hoxsey—2.

NAYS—Messrs. Alexander, (President) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Robertson, Smith, Stults—14.

So said motion

Was not agreed to.

The first section of said bill as follows—

BE IT ENACTED, *By the Senate and General Assembly of the State of New Jersey*, That the act entitled "An act to establish the Sussex Bank, at Newton, in the county of Sussex," passed the thirty-first day of January, one thousand eight hundred and eighteen, and the supplement thereto, entitled "A further supplement to the act entitled 'An act to establish the Sussex Bank, at Newton, in the county of Sussex,' passed the thirty-first day of January, eighteen hundred and eighteen, which supplement was passed the thirty-first day of January, in the year eighteen hundred and forty-nine, be and the same are hereby declared to be in force until the thirty-first day of January, one thousand eight hundred and seventy-eight,

Was taken up, and

Being under consideration,

Mr. Hoxsey moved to amend said section by striking out the words "*seventy-eight*," in the last line, and inserting the words "*sixty-five*" in the place thereof.

The ayes and nays being demanded and ordered thereon, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, —4.

NAXS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood,

Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—12.

So said amendment

Was not agreed to.

Upon the question of agreeing to said section,

The ayes and nays being demanded and ordered, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—13.

NAYS—Messrs. Depew, Hoxsey,—2.

So said section

Was agreed to.

The second section of said bill as follows—

2. *And be it enacted*, That if the directors of said bank shall at any time hereafter deem it expedient, it shall be lawful for them to increase the amount of their capital stock to any sum not exceeding two hundred and fifty thousand dollars, in the manner and under the same provisions as directed in the original act and supplement,

Being under consideration,

Mr. Hoxsey moved to strike out said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.),Depew, Hoxsey, Robson—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith Stults—12.

So said motion

Was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Stults —11.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, Smith—5.

So said section

Was agreed to.

The third and fourth sections were then considered and agreed to.

The fifth section of said bill, as follows—

5. *And be it enacted*, That the President and Directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, and may be, jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes in the same manner as if executed by them in their natural capacity; and it shall not be competent for any director fraudulently to resign his office with intent to avoid such liability., and if any director shall so attempt to resign his office with intent to avoid such liability, he shall be and continue liable, the same as if no such resignation had been attempted; *provided*, that no suit at law or in equity shall be commenced against any director or directors, to recover the amount of any such bills or notes until after six months from the time said corporation shall have become insolvent and suspended payment, and in case of any payment of such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word *and* in the first line, and inserting, after the word *director*, in the same line, the words, "*and stockholders*;" also, by

inserting in the eighth line, after the word *office*, the words, "*nor for any stockholder fraudlently to assign his stock ;*" also, by inserting in the same line, after the word *director*, the words "*or stockholder ;*" also, by inserting after the word *office*, in the ninth line, the words, "*or assign his stock ;*" also, by inserting in the twelfth line, after the word *director*, the words, "*stockholder or stockholders.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows :

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Somers Smith, Stults—13.

So said amendments

Were not agreed to.

The same Senator moved to amend said section by striking out the word "*six*" in the twelfth line of the same, and inserting the word "*two*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Robertson—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—12.

So said amendment

Was not agreed to.

The same Senator then moved to strike out the word "*six*" in the twelfth line of said section, and insert the word "*four*" in the place threof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Depew, Hoxsey—2.

NAYS—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—13.

So said amendment

Was not agreed to.

The same Senator moved to amend said section by striking out the proviso thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell Martin, Rea, Roberts, Smith, Stults—12.

So said amendment

Was not agreed to.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnll, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—13.

NAYS—Messrs. Depew, Hoxsey—2.

So said section

Was agreed to.

The sixth section of said bill, as follows:

6. *And be it enacted*, That in case of an action at law against any director or directors under the preceding section of this act, the plaintiff or plaintiffs may declare generally for money had

and received; *provided*, that a schedule shall be annexed to said declaration setting forth that the said action is under and by virtue of the provisions of this act, and shall specify the dates, sums, payees, and number of the notes or bills upon which said action is brought.

Being under consideration,

Mr. Hoxsey moved to strike out the proviso in said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey Martin, Robertson, Smith—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Rea, Roberts, Stults—10.

So said motion

Was not agreed to.

The same Senator then moved that the further consideration of said section be postponed for the present.

Which motion

Was not agreed to.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Robertson, Stults—12.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Smith—4.

So said section

Was agreed to.

The seventh section of said bill as follows—

7. *And be it enacted*, That the bills or notes issued by said corporation shall not at any time exceed double the amount of its capital stock, actually paid in; and if the president or cashier thereof shall knowingly or wilfully issue, or cause or suffer to be issued, bills or notes of said corporation exceeding double the amount of its capital stock, actually paid in, such president or cashier shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding five thousand dollars, at the discretion of the court,

Being under consideration,

Mr. Hoxsey moved to strike out the whole of said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—12.

So said motion

Was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—12.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

So said section

Was agreed to.

Mr. Hoxsey then offered an additional section, to be called section eight, as follows—

8. *And be it enacted,* That it shall be the duty of the said bank, upon the first Monday of each and every month, to publish in at least one newspaper published in the county of Sussex, a statement of the actual condition of said bank, containing

1. The gross amount of discounts at the date of such statement.

2. The amount of *bona fide* loans to citizens of New Jersey, particularly designating what portion thereof may be good, and what portion may be doubtful or bad.

3. The amount loaned to persons non-residents of the state, particularly designating what portions thereof may be good and what portion may be bad.

4. The average amount of specie for the preceding month, bona fide the property of said bank, held for the purpose of the redemption of circulation.

5. The average amount of circulation for the preceding month, which shall include all bills or notes of said bank that have passed from out aforesaid bank for any purpose whatever.

6. The names of the directors of said bank, at the time of such statements.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows—

AYES—Messrs. Alexander, (Pres.),Depew, Hoxsey, Robson—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith Stults—12.

So said section

Was not agreed to.

Mr. Allen offered an additional section, to be called section eight, as follows:

8. *And be it enacted,* That this act may be altered or repealed at the pleasure of the Legislature.

Which section

Was agreed to.

So said bill having been read a second time, considered by sections, and agreed to, was ordered to be engrossed and to have a third reading.

The bill entitled,

An act to incorporate the Farmers' and Mechanics' Bank at Camden,

Was taken up on its second reading.

Mr. Franklin moved to re-consider the vote by which the ninth section thereof was agreed to.

Which motion was agreed to, and the vote re-considered accordingly.

The ninth section as amended on a former reading of said bill, as follows:

9. *And be it enacted*, That the rate of discount at which loans may be made by said corporation shall not exceed the legal rate of interest in this State for the time being, and shall not exceed seven per cent. of interest during the continuance of this charter; *provided*, that nothing herein contained shall be construed to prohibit the said corporation from dealing in bills of exchange, and the purchase and sale thereof,

Being under consideration,

Mr. Roberts moved to strike out in the third line after the word "*being*," the words "*and shall not exceed seven per cent of interest during the continuance of this charter.*"

The ayes and nays being demanded and ordered upon the question of agreeing thereto, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—12.

NAYS—Messrs. Alexander, (Pres.), Depew, Hoxsey, Robertson—4.

So said motion

Was agreed to.

Mr. Hoxsey moved to amend said section by striking out in the second and third lines of same the words "*shall not exceed the legal rate of interest in this State for the time being*," and insert the words "*at a rate of interest not to exceed six per cent.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Robertson, Smith—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Stults—11.

So said amendment

Was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Robertson, Smith, Stults—14.

NAYS—Messrs. Depew, Hoxsey—2.

So said section was agreed to, and

The bill ordered to be engrossed and have a third reading.

The bill entitled

An act to increase the capital of State Bank at Elizabeth,

Which was postponed on Tuesday while under consideration,

Was taken up.

Mr. Chetwood moved to strike out the third section thereof, as follows:

3. *And be it enacted*, That the President and Directors of said corporation shall be residents of this State, and shall be

jointly and severally liable for the payment of all the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, and may be, jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes in the same manner as if executed by them in their natural capacity; and it shall not be competent for any director fraudulently to resign his office with intent to avoid such liability, and if any director shall so attempt to resign his office with intent to avoid such liability, he shall be and continue liable, the same as if no such resignation had been attempted; *provided*, that no suit at law or in equity shall be commenced against any director or directors, to recover the amount of any such bills or notes until after six months from the time said corporation shall have become insolvent and suspended payment, and in case of any payment of such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other,

Which was added to said bill on a former reading thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

NAYS—Messrs. Alexander, (Pres.) Depew, Howell, Hoxsey, Robertson, Somers, Smith—7.

So said motion

Was agreed to, and

Said section stricken out.

Mr. Hoxsey moved to add a new section, to be called section three, as follows:

3. *And be it enacted*, That it shall not be lawful for said bank to issue, at any one time, an amount of circulating notes exceeding the amount of its capital stock, and the amount of deposits with said bank.

Which motion was agreed to,

And the said section considered and agreed to.

The same Senator then moved to add an additional section to be called section four, as follows—

4. *And be it enacted*, That it shall be lawful for the legislature at any time hereafter, to alter, modify or repeal this act, whenever, in their opinion, the public good shall require it.

Which was accepted,

And agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

A sealed message, endorsed "NOMINATIONS," was received from his Excellency the Governor, by the hands of Mr Shreve, his private Secretary.

On motion of Mr. Hoxsey,

The Senate went into Executive session.

After remaining some time therein,

The Senate again came to order.

On motion of Mr. Allen,

The Senate then adjourned.

FRIDAY, January 26, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Brown.

The journal of yesterday was read and approved.

Mr. Martin presented a memorial from Benjamin Stout and others, citizens of the county of Somerset, representing that in their opinion a State Normal School would essentially contribute to elevate the character and perfect the attainments of Teachers, and through them advance the cause of Education —and asking the establishment of such School, to be located at Somerville, in said county.

Which was read, and referred to the Committee on Education.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to authorize a subscription on the part of the State, to a new edition of Elmer's Digest of the Laws;

Also,

The bill entitled,

An act increasing and defining the powers of "the Rifton Manufacturing Company," in certain particulars;

Also,

The bill entitled,

A Supplement to an the entitled "An act to secure to credit-

ors an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors;"

Also,

The bill entitled,

A further supplement to the act entitled "an act to incorporate the New York and Paterson Plank Road Company," approved March eighteenth, eighteen hundred and fifty-one;

And find the same to be correctly engrossed.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

A supplement to the act entitled "An act to incorporate the Millstone and New Brunswick Railroad," passed the twenty-seventh day of February, A. D. eighteen hundred and thirty-seven;

Also,

The bill from the House of Assembly, entitled,

An act to incorporate the Weymouth Farm and Agricultural Company;

Reported the same, severally,
Without amendment.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have presented to the Governor for his approval

Senate bill No. 1, entitled

A further supplement to the act entitled "An act to incorporate the Newark Mutual Fire Assurance Company," passed the

fourtth day of November, in the year of our Lord one thousand eight hundred and eleven.

DANIEL D. DEPEW,
Ch'm of said Committee.

January 25, 1855.

Mr. Hoxsey, from the Committee on the Judiciary, to which was re-committed

The bill entitled,

A further supplement to an act entitled, "An act for the more easy partition of lands held by co-partners, joint tenants, and tenants in common," approved April sixteenth, eighteen hundred and forty-six:

Reported the same,
Without amendment.

Mr. A. V. Bonnell, from the Committee on Education, to which was referred so much of the Governor's Message as relates to that subject, reported

A bill entitled,

An act to establish a State Normal School;

Which was read for the first time by its title, and ordered to have a second reading.

Mr. Chetwood, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act making a further appropriation for the prosecution of the Geological Survey of this State.

Which was read the first time by its title, ordered to have a second reading, and referred to the committee on Agriculture.

Mr. A. V. Bonnell moved that the Committee on the Judiciary, to which was referred

The bill from the House of Assembly, entitled

An act for the suppression of Intemperance,

Be discharged from the further consideration of said bill, and that the same be referred to the Committee on Unfinished Business.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Martin, Roberts—10.

NAYS—Messrs. Alexander, (Pres.) Howell, Hoxsey, Robertson, Somers, Smith, Stults, Swain—8.

So said motion

Was agreed to, and the Committee discharged, and

Said bill so referred.

Mr. Martin moved that the vote by which

The bill entitled,

An act to authorize a subscription on the part of the state to a new edition of Elmer's Digest of the Laws,

Was ordered to be engrossed, and have a third reading,

Be re-considered;

Which motion was agreed to, and the vote re-considered accordingly—and the bill ordered to stand upon its second reading.

Mr. Smith gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to regulate the grading of the streets, paving and curbing, in the town of Salem.

The engrossed bill entitled,

An act to incorporate the Stockton Land Association;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Roberts, Robertson, Somers, Smith, Stults, Swain—14.

NAYS—Messrs. Alexander, (President), Depew, Hoxsey, Martin—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill and request their concurrence.

Mr. Hoxsey moved that the vote by which

The bill entitled,

A supplement to the act entitled "An act to secure to creditors an equal and just division of the estate of debtors, who convey to assignees for the benefit of creditors,"

Was ordered to be engrossed and have a third reading, be re-considered.

Which motion was agreed to, and

The vote re-considered accordingly.

The same Senator moved to re-commit said bill to the committee on the Judiciary;

Which motion was agreed to, and

Said bill re-committed.

The engrossed bill entitled,

A further supplement to the act entitled "an act to incorporate the New York and Paterson Plank Road Company," approved March eighteenth, eighteen hundred and fifty-one;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hox-sey, Laird, Martin, Robertson, Somers Smith, Stults, Swain, —17.

NAYS—Mr. Roberts—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. Hoxsey from the Committee on the Judiciary to which was referred the report of the Commissioners to revisee the System of Jurisprudence, and the bills accompanying the same; reported

Bill No. 1, entitled,

An act to re-organize the Courts of Law;

Which was read for the first time by its title, and ordered to have a second reading.

The same Senator moved a suspension of so much of the twenty-fifth rule, as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its second reading at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was then taken up, read a second time, considered by sections, agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

A further supplement to an act entitled "An act to establish a Banking and Insurance Company in the town of Newark," and county of Essex," passed February seventeen, eighteen hundred and four;

Which was postponed yesterday, while the first section was under consideration, until this morning,

Was called up by Mr. Allen for consideration, when

When Mr. Hoxsey offered the following resolutions:

Resolved, That Moses B. Bramhall, Daniel D. Depew, and Joseph W. Allen, members of the present Senate, be appointed a committee for the purpose of investigating the actual condition, and the manner in which certain specially incorporated banks have transacted their business, within the space of the last three years. That for the purpose of enabling said committee effectually and completely to discharge this duty, the said committee are hereby empowered to send for persons and papers; to personally examine the officers, agents and clerks of such banks; to examine the books of said banks; to administer oaths that may be necessary in the examination of all persons that may be brought before said committee, or the majority of them. And be it

Resolved, That said committee shall report the average monthly discounts of such banks for the last three years; what portion of such discounts have been made to presidents, directors and stockholders, of such banks; the average amount of specie such banks have possessed in such time, and the average monthly amount of circulation; the amount of discounts or funds of said banks that may be used either directly or indirectly in the usurious discounting of securities and paper in New York, Philadelphia, or elsewhere. And be it

Resolved, That said Committee are hereby instructed and empowered to make the investigation above specified, and such other investigation of the affairs of said banks as shall in the opinion of said committee be of public benefit. And be it

Resolved, That the further consideration of all Bank incorporations or re-incorporations be postponed until such committee makes such report.

Which being read, and

The ayes and nays being demanded and ordered upon the question of agreeing to said resolutions, were as follows:

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Somers, —4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—13.

So said resolutions

Were not agreed to.

Pending the consideration of said bill

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, as follows:

HOUSE OF ASSEMBLY, January 26, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly has passed

The bill entitled,

An act to incorporate the New Jersey Express Company.

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has passed

The bill from the Senate entitled,

An act to authorize the erection of a bridge over Cooper's Creek,

Without amendment.

P. D. VROOM, Clerk.

The bill entitled,

An act to authorize the erection of a bridge over Cooper's creek,

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on

Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The consideration of

The bill entitled,

A further supplement to the act entitled "An act to erect and establish a Banking and Insurance Company in the town of Newark, in the County of Essex," passed February seventeen, eighteen hundred and four.

Was resumed.

Mr. Hoxsey moved that the further consideration of said bill be indefinitely postponed.

Which motion

Was not agreed to.

The first and second sections of said bill were then considered and agreed to.

The third section of said bill, as follows—

3. *And be it enacted,* That the President and Directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, and may be, jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes in the same manner as if executed by them in their natural capacity; and it shall not be competent for any director fraudulently to resign his office with intent to avoid such liability, and if any director shall so attempt to resign his office with intent to avoid such liability, he shall be and continue liable, the same as if no such resignation had been attempted; *provided,* that no suit at law or in equity shall be commenced against any director or directors, to recover the amount of

any such bills or notes until after six months from the time said corporation shall have become insolvent and suspended payment, and in case of any payment of such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other,

Being under consideration,

Mr. Hoxsey moved to amend the same by inserting in the fourth line after the word "*insolvent*" the following words, "*and shall remain so for one year after they shall cease to be directors.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Depew, Hoxsey—2.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—13.

So said amendment

Was not agreed to.

Said section was then agreed to.

The fourth section of said bill, as follows—

4. *And be it enacted*, That in case of an action at law against any director or directors under the preceding section of this act, the plaintiff or plaintiffs may declare generally for money had and received; *provided*, that a schedule shall be annexed to said declaration setting forth that the said action is under and by virtue of the provisions of this act, and shall specify the dates, sums, payees, and number of the notes or bills upon which said action is brought.

Being under consideration,

Mr. Hoxsey moved to strike out the proviso thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Somers, Smith—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Howell, Martin, Roberts, Stults, Swain —10.

So said motion

Was not agreed to.

The fifth section of said bill as follows—

5. *And be it enacted*, That the bills or notes issued by said corporation shall not at any time exceed double the amount of its capital stock, actually paid in; and if the president or cashier thereof shall knowingly or wilfully issue, or cause or suffer to be issued, bills or notes of said corporation exceeding double the amount of its capital stock, actually paid in, such president or cashier shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding five thousand dollars, at the discretion of the court,

Being under consideration,

Mr. Hoxsey moved to postpone the further consideration of said bill until the original charter of said bank should be printed and laid before the Senate.

Which motion

Was not agreed to.

The same Senator then moved to strike out the word "*double*" in the second and fourth lines in said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Laird, Somers—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain —11.

So said motion

Was not agreed to, and

Said section was agreed to.

Mr. Hoxsey then offered an additional section, to be called section six, as follows—

6. *And be it enacted*, That it shall be the duty of the said bank, upon the first Monday of each and every month, to publish in at least one newspaper published in the county of Essex, a statement of the actual condition of said bank, containing

1. The gross amount of discounts at the date of such statement.

2. The amount of *bona fide* loans to citizens of New Jersey, particularly designating what portion thereof may be good, and what portion may be doubtful or bad.

3. The amount loaned to persons non-residents of the state, particularly designating what portions thereof may be good and what portion may be bad.

4. The average amount of specie for the preceding month, bona fide the property of said bank, held for the purpose of the redemption of circulation.

5. The average amount of circulation for the preceding month, which shall include all bills or notes of said bank that have passed from out aforesaid bank for any purpose whatever.

6. The names of the directors of said bank, at the time of such statements.

The ayes and nays being demanded and ordered upon the question of agreeing thereto, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Somers, —5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperth-

waite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain —11.

So said section

Was not agreed to.

Mr. Allen moved to add an additional section to said bill, to be called section six, as follows—

6. *And be it enacted*, That the twelfth section of said act of incorporation, and also the proviso in the ninth rule of the fourteenth section of said act, so far as the same authorizes the said corporation to insure against loss by fire or otherwise, be and the same are hereby repealed.

Which motion was agreed to, and

The section considered and agreed to.

The same Senator then moved to add an additional section to be called section seven, as follows—

7. *And be it enacted*, That from and after the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, the name of the said corporation shall be "The Newark Banking Company," and from and after the passage of this act it shall be lawful for the corporation to make and issue bills and notes in that name.

Which motion was agreed to, and

Said section considered and agreed to.

Mr. Allen offered an additional section, to be called section eight, as follows:

8. *And be it enacted*, That it shall be lawful for the Legislature at any time to alter, amend or repeal this act.

Which motion was agreed to, and

The section considerered and agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. Hoxsey moved that the Senate do now adjourn.

Which motion was not agreed to.

The bill entitled,

A supplement to an act entitled "An act to establish the Cumberland Bank, at the town of Bridgeton, in the county of Cumberland," passed the fifteenth day of February, eighteen hundred and sixteen,

Was taken up and read a second time, and the first section being under consideration,

Mr. Hoxsey offered the following resolution:

Resolved, That a committee, consisting of Senators Bramhall, Depew and Allen, be appointed to investigate the affairs of the Cumberland bank for the last three years; that said committee shall examine into the monthly average amount of specie within that time—the average monthly circulation—the amount loaned to the officers and stockholders of such bank, and also shall particularly inquire into the amount of suspended paper held by said bank against Reeve, Buck & Co.

Mr. A. V. Bonnell moved that the name of Mr Hoxsey be added to said committee.

The ayes and nays being demanded and ordered upon the question of agreeing thereto, were as follows—

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, Cowperthwaite, Depew, Laird, Martin, Roberts,—7.

NAYS—Messrs. Allen, I. Bonnell, Franklin, Howell, Hoxsey, Somers, Smith, Stults, Swain—9.

So said motion

Was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Depew, Hoxsey—2.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Somers, Smith, Stults, Swain—14.

So said resolution

Was not agreed to.

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Depew, Franklin, Hoxsey, Laird, Martin, Somers,—9.

NAYS—Messrs. Allen, Cowperthwaite, Howell, Roberts, Smith, Stults, Swain—7.

So said motion

Was agreed to, and

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Hoxsey, from the Committee on the Judiciary, to which was re-committed

The bill entitled,

A Supplement to an act entitled "An act to secure to credit-

ors an equal and just division of the estates of debtors, who convey to assignees for the benefit of creditors;"

Reported the same,
With amendments.

Said bill was then taken up, the amendments read and agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. Hoxsey presented a remonstrance from Thomas R. Linn against the re-chartering of the Sussex Bank, representing that he subscribed to the stock under the implied contract in law that at the expiration of this charter he might receive the amount of his capital stock, with the surplus earnings in full, and then be at liberty to re-invest his money again at his own wish—that he has a vested right in his own stock which cannot legally be interfered with, without his consent—and praying that a section may be incorporated in said act of incorporation providing that said charter shall not be extended without the consent of the stockholders to such extension.

Which being read,

Mr. Hoxsey moved that

The bill entitled,
An act to renew the charter of the Sussex Bank,
With amendments,

Be re-committed to the Committee on the Judiciary, and that said remonstrance be referred to the same Committee.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Depew, Hoxsey—2.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—13.

So said motion

Was not agreed to.

Mr. Hoxsey moved to refer said remonstrance to the Committee on the Judiciary.

Mr. Allen moved to lay said remonstrance on the table.

Which motion was agreed to,

And the remonstrance ordered to lie on the table.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to incorporate the Hunterdon County Bank.

And find the same to be correctly engrossed.

Mr. I. Bonnell, from the Committee on Agriculture, to which was referred

The bill entitled,

An act making a further appropriation for the prosecution of the Geological Survey of this State,

Reported the same,
Without amendment.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have presented to the Governor for his approval

Senate bill No. 10, entitled

An act to authorize the erection of a bridge over Cooper's Creek.

DANIEL D. DEPEW,

Ch'm of said Committee.

January 26, 1855.

Mr. Somers offered the following resolution:

Reeolved, That when the Senate adjourns it adjourn to meet on Monday afternoon, at three o'clock.

Which was read and agreed to.

Mr. Roberts, in pursuance of notice heretofore given asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Camden and Blackwoodtown Turnpike Company.

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Howell called for the unfinished business of the morning, being the consideration of

The bill entitled,

A supplement to an act entitled "An act to establish the Cumberland Bank, at the town of Bridgeton, in the county of Cumberland," passed the fifteenth day of February, eighteen hundred and sixteen,

Which was taken up, and the consideration of the first section resumed.

Mr. Hoxsey moved to postpone the further consideration of said bill, to the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey—3.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Howell, Laird, Martin, Roberts, Somers, Smith, Stults, Swain—12.

So said motion

Was not agreed to.

The same Senator then moved that the further consideration

of said bill be postponed until the officers of the Bank shall file an affidavit in conformity with the fifth section of the act entitled, "an act to prevent frauds by incorporated companies.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs A. V. Bonnell, Depew, Hoxsey Laird—4.

NAYS—Messrs. Alexander, (Pres.), Allen, I. Bonnell, Cowperthwaite, Howell, Martin, Roberts, Somers, Smith, Stults Swain—11.

So said motion

Was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows—

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnll, I. Bonnell, Cowperthwaite, Howell, Laird, Martin, Roberts, Somers, Smith, Stults, Swain—13.

NAYS—Messrs. Depew, Hoxsey—2.

So said section

Was agreed to.

The second section of said bill was then considered and agreed to.

The third section of said bill, as follows—

3. *And be it enacted,* That the President and Directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, and may be, jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes in the same manner as if executed by them in their natural capacity ; and it shall not be competent for any director fraudulently to resign his office with intent to avoid such liability , and if any director shall so attempt to resign his

office with intent to avoid such liability, he shall be and continue liable, the same as if no such resignation had been attempted; *provided*, that no suit at law or in equity shall be commenced against any director or directors, to recover the amount of any such bills or notes until after six months from the time said corporation shall have become insolvent and suspended payment, and in case of any payment of such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other,

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word "*and*" in the first line thereof, and also by inserting the words "*and stockholders*" in the same line, after the word "*directors.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said amendments, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey—3.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Howell, Laird, Martin, Roberts, Smith, Stults, Swain, —11.

So said amendments

Were not agreed to.

A message was received from His Excellency, the Governor, by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, January 26, 1855.

Mr. President:

I have this day approved and signed the following bills:

A further supplement to the act entitled "An act to incorpo-

rate the Newark Mutual Fire Assurance Company," passed the fourth day of November, in the year of our Lord one thousand eight hundred and eleven.

An act to authorize the erection of a bridge over Cooper's Creek.

RODMAN M. PRICE.

The consideration of said bill was then resumed.

Mr. Hoxsey moved to strike out the proviso of said bill.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird. —4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Howell, Martin, Roberts, Smith, Stults, Swain—10.

So said motion
Was not agreed to.

The same Senator then moved to amend said section by striking out the word "*six*" in the twelfth line of the same and inserting the word "*two*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey—3.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Howell, Martin, Roberts, Smith, Stults, Swain—10.

So said motion

Was not agreed to.

Said section was then agreed to.

The fourth section of said bill, as follows—

4. *And be it enacted*, That in case of an action or law against any director or directors under the preceding section of this act, the plaintiff or plaintiffs may declare generally for money had and received; *provided*, that a schedule shall be annexed to said declaration setting forth that the said action is under and by virtue of the provisions of this act, and shall specify the dates, sums, payees, and number of the notes or bills upon which said action is brought.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word "*or*" in the first line, and inserting the word "*at*" in the place thereof.

Which motion was agreed to.

The same Senator then moved to amend said section by striking out the proviso in said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey—3.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Howell, Laird, Roberts, Smith, Stults, Swain—10.

So said amendment
Was not agreed to.

Said section was then agreed to.

The fifth section of said bill as follows—

5. *And be it enacted*, That the bills or notes issued by said corporation shall not at any time exceed double the amount of its capital stock, actually paid in; and if the president or cashier thereof shall knowingly or wilfully issue, or cause or suffer to be issued, bills or notes of said corporation exceeding double the amount of its capital stock, actually paid in, such president or cashier shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding five thousand dollars, at the discretion of the court,

Being under consideration,

Mr. Hoxsey moved to amend said section by striking out the word "*double*" in the second and fourth lines thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Laird —4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Howell, Martin, Roberts, Smith, Stults, Swain—10.

So said amendment

Was not agreed to.

Said section was then considered and agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

A message was received from his Excellency the Governor, by the hands of Mr. Shieve, his private Secretary, as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, January 26, 1855.

To the Senate and General Assembly,

Gentlemen:

I have the honor to transmit herewith a communication this day received from the Executive Committee of the Agricultural Society of this state, requesting the Legislature to appropriate one thousand dollars, at this session, to be placed at the disposal of the Society, and expended for the encouragement and improvement of agriculture. I accord to the application my entire concurrence, and confidently express the hope that the Legislature will make an appropriation calculated to promote and stimulate so great and important an interest.

RODMAN M. PRICE.

TRENTON, January 25, 1855.

To his Excellency, Rodman M. Price,
Governor of the State of New Jersey:

SIR—The Executive Committee of the New Jersey State Agricultural Society respectfully requests, if it meets with your approbation, that you recommend the Legislature, now in session, to appropriate the sum of one thousand dollars, to be placed at the disposal of the committee for the purpose of carrying out the object of the Society.

Very respectfully,
W. P. ROBESON,
ISAAC R. CORNELL,
F. P. AUTEN,
WM. KITCHELL,
WM. TORREY,
On behalf of the Ex. Com.

Which message and accompanying letter were read, and referred to the Committee on Agriculture.

A communication was also received from his Excellency the Governor, as follows:

Mr. President:

A gentleman from New York, representing a committee appointed by the Legislature of that State, and also the commercial interests of New York city, has waited upon me to-day, inviting and requesting the Legislature of this state to appoint a joint committee to meet the committee appointed by the Legislature of that state, at the Astor House, New York city, on the evening of Tuesday next, to consider joint measures to be proposed to the Legislatures of both states, for the better protection of the Harbor of New York from encroachments by wharves and piers into the waters of the Hudson and East rivers, and the Bay of New York, which it is feared may seriously obstruct the navigation of the Harbor, and lessen the water at Sandy Hook.

The importance of some law regulating the ulterior line of encroachments upon the water has been alluded to in my communications heretofore, and I now beg leave to renew those recommendations, and suggest that a joint committee be appoint-

ed to meet the committee from the Legislature of New York, as proposed.

I have the honor to be
Your most ob't serv't,
RODMAN M. PRICE.

Which being read,

Mr. Hoxsey offered the following resolution:

Resolved, (House of Assembly concurring) That a joint committee of the two Houses of the Legislature, consisting of two Senators and three members of Assembly, be appointed in pursuance of a recommendation from the Governor, to meet the commercial representatives of the City of New York, and the Committee of the New York Legislature at the Astor House, New York City, on the evening of Tuesday, January 30th, instant, to consider joint measures to be proposed to the Legislatures of both States for the better protection of the Harbor of New York, from encroachments by wharves and piers into the waters of the Hudson and East Rivers, and the Bay of New York, which it is feared may seriously obstruct the navigation of the Harbor, and lessen the water at Sandy Hook.

Which was read and agreed to.

The President appointed Messrs. Hoxsey and Allen said committee on the part of the Senate.

Mr. Allen asked to be excused.

Mr. A. V. Bonnell moved that the Senator be excused.

Which motion was agreed to.

The President then appointed Mr. A. V. Bonnell in the place of Mr. Allen.

Ordered, That the Secretary inform the House of Assembly of the passage of said concurrent resolution, and request their concurrence, and the appointment of a similar committee.

The bill entitled

An act to confirm certain conveyances of land lying in the township of Freehold, in the county of Monmouth;

Was taken up, read a second time, considered by sections,

and agreed to, and ordered to be engrossed and to have a third reading.

Mr. Hoxsey moved that the Senate do now adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing thereto, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Somers —4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Howell, Laird, Roberts, Smith, Stults, Swain—10.

So said motion to adjourn

Was not agreed to.

The bill entitled,

An act to renew the charter of the Trenton Banking Company,

Was taken up.

Mr. Hoxsey moved to postpone the consideration of said bill for the present.

The Ayes and Nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird Somers,—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Howell, Martin, Roberts, Smith, Stults, Swain—10.

So said motion

Was not agreed to.

Said bill was then read a second time.

Mr. Hoxsey moved to postpone the same to the next session of the Legislature.

Which motion was not agreed to.

Said bill was then taken up, read a second time, considered by sections, agreed to, and ordered to be engrossed and have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the New Jersey Express Company,

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

A supplement to an act entitled "an act to incorporate the Jersey Shore Improvement Company," approved March the third, eighteen hundred and fifty-four;

Was taken up, read a second time, considered by sections, agreed to, and ordered to have a third reading.

Mr. A. V. Bonnell moved to re-consider the vote by which

The bill from the House of Assembly, entitled

An act for the suppression of Intemperance,

Was referred to the Committee of Unfinished Business.

Which motion was agreed to, and

The vote re-considered accordingly.

When Mr. Howell offered the following resolution:

Resolved, That a Select Committee of five Senators be appointed on the Assembly Bill, for the suppression of Intemperance.

Which was read and agreed to.

The President appointed Messrs. Howell, Hoxsey, Roberts, Martin and Laird, said Committee.

Mr. Hoxsey and Mr. Laird asked to be excused from serving on said Committee, and were excused.

The President appointed Messrs. Allen and Swain in the place of Messrs. Hoxsey and Laird.

The bill entitled,

An act to authorize a subscription on the part of the State, to a new edition of Elmer's Digest of the Laws,

Was taken up, and having been previously read,

Mr. Martin moved to re-consider the vote by which the third section thereof was agreed to.

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator then moved to amend said section by restoring the words, "*and to the members of the present Legislature,*" being a part of the clause stricken out on a former reading of the bill.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.)Allen, Howell, Laird, Martin, Somers, Smith, Stults, Swain—9.

NAYS—Messrs. A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Hoxsey—5.

So said motion

Was agreed to, and

The section as ameded was agreed to, and said bill ordered to be engrossed and have a third reading.

The bill entitled,

An act to charter the Farmers Bank of New Jersey, at Medford,

Which was postponed while the the title thereof was under consideration,

Was taken up.

Mr. Hoxsey moved that the Senate now adjourn;

Which motion was not agreed to.

The title of said bill was then considered and agreed to, and the bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

On motion of Mr. Stults,

The Senate then adjourned.

MONDAY, January 29th, 1855.

At 3 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The Journal of Friday was read and approved.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to increase the capital stock of State Bank at Elizabeth,

With amendments.

Also,

The bill entitled,

A supplement to an act entitled "An act to establish the Cumberland Bank, at the town of Bridgeton, in the county of Cumberland," passed the fifteenth day of February, eighteen hundred and sixteen;

Also,

The bill entitled,

An act to incorporate the Farmers' and Mechanics' Bank at Camden;

Also,

The bill entitled,

An act to renew the charter of the Sussex Bank, With amendments;

Also,

The bill entitled,

A further supplement to the act entitled "An act to erect and establish a Banking and Insurance Company in the town of Newark, in the County of Essex," passed February seventeen, eighteen hundred and four;

Also,

The bill entitled,

An act to incorporate the Passaic Quarry Company;

Also,

The bill entitled

An act to confirm certain conveyances of land lying in the township of Freehold, in the county of Monmouth;

The bill entitled,

An act to re-organize the Courts of Law;

And find the same to be correctly engrossed.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly, entitled

An act to incorporate the New Jersey Express Company,

Reported the same,
Without amendment.

Mr. Allen presented a petition from James Forman and others, citizens of the borough of Bordentown, asking that a special charter may be granted to the Bordentown Banking Company,

Which was read and referred to the Committee on Corporations.

Mr. A. V. Bonnell gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A supplement to the act entitled "An act respecting apprentices and servants," approved April tenth, eighteen hundred and forty-six.

The engrossed bill entitled,

An act to confirm certain conveyances of lands lying in the township of Freehold in the county of Monmouth.

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Franklin, Laird, Martin, Roberts, Somers, Stults, Swain—13.

NAYS—None.

Ordered, That the President sign said bill, the Secretary car-

it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Passaic Quarry Company,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Roberts, Somers, Stults, Swain—13.

NAYS—Mr. Alexander, (Pres.)—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled,

A supplement to an act entitled "an act to incorporate the Jersey Shore Improvement Company," approved March the third, eighteen hundred and fifty-four;

Was taken up, and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Depew, Laird, Martin, Roberts, Somers—11.

NAYS—Messrs. Hoxsey, Stults, Swain—3.

Ordered, That the President sign said bill, the Secretary car-

ry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill entitled,

An act to incorporate the Burlington Bank;

Was taken up and read a second time, and the first section thereof, as follows:

1. BE IT ENACTED, *by the Senate and General Assembly of the State of New Jersey*, That George W. South, Caleb Gaskill, Samuel W. Taylor, Thomas Milnor, Elwood Connor, Samuel Keys, and Thomas Robb, and their associates, shall be and they are hereby created a body politic and corporate, by the name of "The Burlington Bank," and by that name they shall have and exercise banking powers, and the incidental corporate powers enumerated in the first section of the act concerning corporations; *provided*, that the said corporation shall not trade or deal in anything except moneys, bills of exchange, promisory notes, and gold and silver bullion; and shall, in no case hold any real estate, goods, wares, merchandize or chattels, except such as may be necessary for the convenient transaction of its business, or shall be mortgaged or pledged to it as security for debt, loans or contracts, or shall be conveyed or sold, in full or in part satisfaction of debts previously contracted in the course of dealings, or shall be purchased upon judgment or execution for the purpose of bona-fide making or security a debt or debts due or owing said corporation.

Being under consideration,

Mr. Hoxsey moved to amend the same by inserting after the word "*powers*" in the sixth line thereof, "*and be subject to the restrictions and liabilities*"—also, to strike out the words "*first section of the*" in the same line.

Mr. Allen moved to amend said amendment by substituting the words "*so far as the same may be applicable*," after the word "*corporation*" in the seventh line.

Which amendment was accepted and agreed to.

Mr. Hoxsey moved to further amend said section by adding after the word "*corporation*" in the seventh line the words "*approved February fourteenth, eighteen hundred and forty-six.*"

Which was agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows—

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnll, I. Bonnell, Cowperthwaite, Franklin, Laird, Martin, Roberts, Somers, Stults, Swain—12.

NAYS—Messrs. Depew, Hoxsey—2.

So said section

Was agreed to.

The second section of said bill as follows—

2 *And be it enacted*, That the capital stock of the said corporation shall be one hundred thousand dollars, and shall be divided into shares of fifty dollars each; and that the said George W. South, Caleb Gaskill, Samuel W. Taylor, Thomas Milnor, Elwood Connor, Samuel Keys, and Thomas Robb, or a majority of them, shall be and they are hereby appointed commissioners to open, at Burlington City, books of subscriptions for, and receive subscriptions to, said capital stock, giving at least twenty days notice in a newspaper printed at Burlington, or in the county of Burlington, of the time and place of receiving said subscriptions; that the said books, after having been opened shall be kept open for three successive days, unless the amount of said capital stock shall be sooner subscribed for; that upon the first day of the opening of said books, no persons but citizens of the State of New Jersey shall be allowed to subscribe for said stock; and at the time of subscribing for said stock, the respective subscribers shall pay to said commissioners five dollars for each share subscribed for.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out at the end of the tenth line and beginning of the eleventh line, the words "*the first day of*."

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, Depew, Franklin, Hoxsey, Laird, Martin, Somers—8.

NAYS—Messrs. Allen, I. Bonnell, Cowperthwaite, Roberts, Stults, Swain—6.

So said amendment

Was agreed to.

Said section was then agreed to.

The third section was considered, amended and agreed to.

The fourth, fifth, and six sections of said bill were then agreed to.

The seventh section of said bill was then read, and

On motion of Mr. Allen,

The further consideration of the same postponed for the present.

The eighth section was then considered and agreed to.

The ninth section of said bill, as follows—

9. *And be it enacted*, That the rate of discount at which loans may be made by said corporation, shall not exceed the legal rate of interest in this State, for the time being; *provided*, that nothing herein contained shall be construed to prohibit the said corporation from dealing in bills of exchange, and the purchase and sale thereof.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the words, "*the legal rate of interest in this state*," in the second line, and inserting the words "*six per cent. per annum*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Franklin, Hoxsey, Laird, Somers.—7.

NAYS—Messrs. Allen, A. V. Bonnell, Cowperthwaite, Martin, Roberts, Stults, Swain—7.

So said amendment

Was not agreed to.

The same Senator then moved to postpone the further consideration of said section for the present.

The ayes and nays being demanded and ordered upon the question of agreeing thereto, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Somers, —5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Roberts, Stults, Swain—9.

So said motion

Was not agreed to.

Mr. Hoxsey moved that the further consideration of said bill be postponed until to-morrow morning.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Franklin, Hoxsey, Laird, Martin, Somers—7.

NAYS—Messrs. Allen, I. Bonnell, Cowperthwaite, Roberts, Stults, Swain—6.

So said motion was agreed to, and the bill postponed accordingly.

The bill entitled,

An act to incorporate the Great and Little Egg Harbor Turnpike Road Company,

Was taken up, read a second time, considered by sections,

amended and agreed to, and ordered to be engrossed and have a third reading.

Mr. Franklin, from the Committee on Engrossed Bills,

Reported that they had examined

The bill entitled,

A further supplement to an act entitled "An act for the more easy partition of land held by co-parceners, joint tenants, and tenants in common," approved April sixteenth, eighteen hundred and forty-six,

And find the same to be correctly engrossed.

On motion of Mr. I. Bonnell,

The Senate then adjourned.

TUESDAY, January 30, 1855.

At 10 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of yesterday was read and approved.

Mr. Rea presented a petition from Joseph King Arndt and Hart J. Arndt, devisees of Abraham Arndt, asking the passage

of a law authorizing the Orphan's Court of the county of Warren to appoint commissioners to sell certain real estate devised to them by said deceased, and to invest the purchase money according to the provision of the will of the deceased.

Which was read, and referred to the Committee on the Judiciary.

Mr. I. Bonnell presented the Annual Statement of the Sussex Bank, as follows:

THE ANNUAL STATEMENT OF THE SUSSEX BANK—(as amended.)

The condition of the Sussex Bank on the first day of January, eighteen hundred and fifty-five, (1855) was as follows:

Bills and notes discounted,	286,797 16	
Loans secured by mortgage, originally discounted notes) good,	5,078 58	
Loans on call, good,	30,000 00	321,875 74
Bank notes of other banks, of which $345 are Paterson,	9,577 00	
Specie on hand, in gold, silver and copper coin,	33,955 72	
Due from other banks, about $75,000 deposit in New York,	88,049 41	131,582 13
Real estate at cost, (bank house and lot and other improvements,)		7,558 30
Whole amount of assets		$461,016 17

Of the above assets there will be a loss of $12,28, a balance on note discounted—all the rest of bills discounted are estimated good and collectable—certainly less than $50 doubtful.

Of the bank notes there is a small amount in bills on suspended free banks of the state of N. York, on which loss may accrue, but the chief loss will be on the Paterson.

LIABILITIES.

The liabilities of the bank are for its notes in circulation,	210,006 00	
And for ledger balances due depositors and others,	75,177 90	285,183 90
Leaving a balance of		175,832 27
Which represents the capital stock,		$135,000 00
And the undivided profits,		40,832 27
		$175,832 27

New Jersey, Sussex County, ss. Personally came before the subscriber, one of the Justices of the Peace in and for the county of Sussex, David Ryerson President, and Samuel D. Morford cashier, of the Sussex bank; and the said David Ryerson alleging himself conscientiously scrupulous of taking an oath, was affirmed, and the said Samuel D. Morford sworn, according to law, and on their several oath and affirmation did declare and say that the above is a true statement of the affairs and condition of the said bank, on the first day of January, eighteen hundred and fifty-five, according to the best of their knowledge and belief.

Sworn, affirmed and subscribed before me, the 27th day of January, A. D. 1855.
JOHN KRABER,
Justice of the Peace.

DAVID RYERSON,
S. D. MORFORD.

Which was laid on the table without reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

An act to incorporate the Freehold Banking Company;

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Raritan Bay and Bergen Iron Works Railroad Company;

Reported the same, severally,

Without amendments.

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to authorize a subscription on the part of the state to a new edition of Elmer's Digest of the Laws;

Also,

The bill entitled,

An act to extend the charter the Farmers' Bank of New Jersey,

With amendments;

Also,

The bill entitled,

An act to renew the charter of the Trenton Banking Company;

And find the same to be, severally, correctly engrossed.

Mr. A. V. Bonnell, in pursuance of notice heretofore given asked and obtained leave to introduce

A bill entitled,

A supplement to an act entitled "An act respecting apprentices and servants," approved April tenth, eighteen hundred and forty-six.

Which was read for the first time by its title, and ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Bonnell moved a suspension of so much of the twenty-

third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Passaic Paint Company.

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Laird gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act for the preservation of fish in Manasquan River.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill entitled,

An act relative to the quantity of land that may be held by certain Railroad Companies,

Reported the same,
With amendmeat.s

The President laid before the Senate the following communication and report:

STATE OF NEW JERSEY,
DEPARTMENT OF STATE,

Trenton, January 29, 1855.

To the Hon. the Senate of the State of New Jersey:

In obedience to the law approved March 3, 1848, and the

supplement thereto, approved March 19, 1851, "relating to the registry and returns of births, marriages and deaths," the following report is respectfully submitted:

The tables have been compiled with care and are arranged to exhibit—

1. The number of marriages reported from each township.
2. The number of births, designating the sex.
3. The number of deaths: and
4. The causes of death.

With great respect,

THOS. S. ALLISON,

Secretary of State.

Which communication was read, and the report laid on the table.

(For Report see Appendix.)

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, as follows:

HOUSE OF ASSEMBLY, January 30, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that they have concurred with the Senate in the following concurrent resolution:

Resolved, (House of Assembly concurring) That a joint committee of the two Houses of the Legislature, consisting of two Senators and three members of Assembly, be appointed in pursuance of a recommendation from the Governor, to meet the commercial representatives of the City of New York, and the Committee of the New York Legislature at the Astor House, New York City, on the evening of Tuesday, January 30th, instant, to consider joint measures to be proposed to the Legislatures of both States for the better protection of the Harbor of New York, from encroachments by wharves and piers into the waters of the Hudson and East Rivers, and the Bay of New

York, which it is feared may seriously obstruct the navigation of the Harbor, and lessen the water at Sandy Hook.

And that the House of Assembly has appointed Messrs Board, Holmes, and Lafetra, a committee on the part of the House.

P. D. VROOM, Clerk.

The engrossed bill entitled,

An act to incorporate the Hunterdon County Bank.

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Smith. Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, Somers,—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. Hoxsey offered the following resolution:

Resolved, That the Attorney-General of the State of New Jersey, in conformity with the act, shall give to the Senate in writing, his legal opinion touching the constitutionality and legality of the act incorporating the Hunterdon County Bank.

Which was read.

Mr. A. V. Bonnell moved to lay said resolution on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Rea, Roberts, Robertson, Stults, Swain—11.

NAYS—Messrs. Depew, Hoxsey, Laird, Martin, Somers, Smith—6.

So said motion

Was agreed to, and

The resolution ordered to lie on the table.

The engrossed bill entitled,

An act to extend the charter the of Farmers Bank of New Jersey,
With amendments;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—14.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A supplement to an act entitled "An act to establish the Cumberland Bank, at the town of Bridgeton, in the county of Cumberland," passed the fifteenth day of February, eighteen hundred and sixteen;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.), Depew, Hoxsey, Laird, Robertson—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to increase the capital stock of State Bank at Elizabeth, With amendments.

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. Hoxsey moved that the further consideration of all Bank charters be postponed until the return of the joint committee appointed under the concurrent resolution of the two Houses, to meet a committee of the Legislature of the state of New York

in relation to the encroachment upon the Harbor of New York.

Mr. Allen moved to lay said motion on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, I. Bonnell, Chetwood, Cowperthwaite, Martin, Rea, Roberts, Smith, Stults, Swain—10.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, Depew, Hoxsey, Laird, Robertson, Somers—7.

So said motion to lay on the table

Was agreed to.

Mr. Hoxsey asked to be excused from serving on said Committee:

The Senator was excused.

Mr. A. V. Bonnell asked to be excused from serving on said Committee.

The Senator was excused.

On motion of Mr. Allen,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

An act to incorporate the Passaic Paint Company;

Reported the same,
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A supplement to the act entitled "An act to secure to creditors an equal and just division of the estate of debtors, who convey to assignees for the benefit of creditors,"

And find the same to be correctly engrossed.

Mr. Allen in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to an act entitled "An act to incorporate the Burlington Gas Light Company," approved the tenth day of March, one thousand eight hundred and fifty-two.

Mr. Smith gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Camden and Cape Island Telegraph Company.

Mr. Franklin gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate a Bank at Woodbury, Gloucester county.

Mr. Chetwood gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A supplement to the act entitled "An act to incorporate the Warren Rail Road Company.

Mr. Hoxsey offered the following resolution:

Resolved, That the Treasurer be directed to payto the Hon. A. V. Bonnell, chairman of the committee to investigate the affairs of the Elizabethtown and Somerville Rail Road Company, the sum of one hundred and twenty-seven dollars, being the amount of expenses incurred by the said committee in making said investigation.

Which was read and agreed to.

The same Senator presented a remonstrance from Theodore Gardner and others, citizens of the county of Hunterdon, against the incorporation or re-incorporation of the special bank charters before the Legislature.

Which was read and ordered to lie on the table.

The same Senator presented a remonstrance from Silas D. Canfield and others, citizens of the county of Passaic, upon the sume subject.

Which was read and ordered to lie on the table.

The same Senator presented a remonstrance from William

Clark and others, citizens of the same county, upon the same subject.

Which was ordered to lie on the table without reading.

The engrossed bill entitled,

A further supplement to an act entitled "An act for the more easy partition of land held by co-parceners, joint tenants, and tenants in common," approved April sixteenth, eighteen hundred and forty-six,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (President), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill and request their concurrence.

The engrossed bill entitled,

A supplement to an act entitled, "An act to secure to creditors an equal and just division of the estate of debtors, who convey to assignees for the benefit of creditors;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I.

Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey Laird, Martin, Rea, Roberts, Robertson, Somers Smith, Stults Swain—14.

NAYS—Messrs. Allen, Robertson, Swain—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to re-organize the Courts of Law,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. I. Bonnell moved to re-consider the vote by which Mr. Hoxsey was excused from acting as one of the joint committee of the two Houses of the Legislature to meet a committee of the Legislature of New York, in relation to encroachments on the Harbor of New York.

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator then moved to re-consider the vote by which Mr. A. V. Bonnell was excused as acting as one of the same joint committee.

Which motion was agreed to, and the vote re-considered accordingly.

The engrossed bill entitled,

An act to authorize a subscription on the part of the State, to a new edition of Elmer's Digest of the Laws,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs Alexander, (Pres.), Allen, Chetwood, Franklin, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain —12.

NAYS—Messrs. I. Bonnell, Cowperthwaite, Depew, Hoxsey, Robertson—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Farmer's Bank at Camden,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—12.

NAYS—Messrs. Alexander, (Pres.) Depew, Franklin, Hoxsey, Robertson—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to renew the charter of the Trenton Banking Company;

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Smith Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, Somers—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to extend the charter of the Burlington County Bank, at Medford,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—14.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

Ordered, That the President sign said bill, the Secretary carit to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to renew the charter of the Sussex Bank,
With amendments;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—14.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A further supplement to the act entitled "An act to erect and establish a Banking and Insurance Company in the town of Newark, in the County of Essex," passed February seventeen, eighteen hundred and four;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.), Depew, Hoxsey, Robertson, Somers—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act increasing and defining the powers of "the Rifton Manufacturing Company," in certain particulars;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—Messrs. Alexander, (Pres.) Hoxsey—2.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, January 30, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that they have passed

The bill entitled

An act to incorporate the Fairmount Cemetery Company;

Also,

The bill entitled,

An act to incorporate the Farmer's Mutual Fire Insurance Company at Moorestown, Burlington county.

Also,

The bill entitled,

A supplement to the act entitled "An act to incorporate Hudson County Mutual Insurance Company, passed February eleventh, eighteen hundred and forty-two;

Also,

The bill entitled,

An act to incorporate the Camden Market Company;

Also,

The bill entitled,

A supplement to an act entitled "An act to incorporate the Northern Railroad Company of New Jersey;

Also.

The bill entitled,

A supplement to an act entitled "An act to incorporate the Trenton Saving Fund Society," passed the seventh day March, eighteen hundred and forty-four;

Also,

The bill entitled,

An act to incorporate the West Newark Cemetery Company;

Also,

The bill entitled,

An act to incorporate the Rockaway Manufacturing Company;

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill from the House of Assembly, entitled

An act to incorporate the West Newark Cemetery Company,

Was taken up and read for the first time by its title, and ordered to have a second reading, and referred to the committee on Corporations.

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Trenton Saving Fund Society," passed the seventh day of March, eighteen hundred and forty-four;

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Northern Railroad Company, of New Jersey;

Was taken up, read for the first time by its title, ordered to have a second reading and referred to the Committee on Corporations.

The bill from the House of Assembly entitled

An act to incorporate the Camden Market Company;

Was taken up, and read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

A supplement to the act entitled "An act to incorporate the Hudson County Mutual Insurance Company," passed February eleventh, eighteen hundred and forty-two;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate "The Farmers' Mutual Fire Insurance Company, at Moorestown, Burlington County;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Fairmount Cemetery Association, of the City of Newark;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Rockaway Manufacturing Company;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

Mr. Chetwood called up

The bill entitled,

An act to create the county of Union,

Being a part of the unfinished business of the last session of the Legislature,

Reported by committee;

Which bill was read by its title and referred to the Committee on the Judiciary.

The bill entitled,

An act to incorporate the Burlington Bank;

Which was postponed yesterday while the ninth section was under consideration,

Was taken up, and the consideration of said section, as follows:

9. *And be it enacted*, That the rate of discount at which loans may be made by said corporation, shall not exceed the legal rate of interest in this State, for the time being; *provided*, that nothing herein contained shall be construed to prohibit the said corporation from dealing in bills of exchange, and the purchase and sale thereof,

Being resumed,

Mr. Hoxsey moved to amend the same by adding at the end of said section the words "*provided*, that the rate of interest shall not exceed six per cent. per annum."

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Hoxsey, Laird, Robertson, Somers—7.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Smith, Stults, Swain, —11.

So said motion

Was not agreed to.

Said section was then agreed to.

The tenth, eleventh, and twelfth sections were then considered and agreed to.

The thirteenth section of said bill, as follows:

13. *And be it enacted*, That the President and Directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, and may be, jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes in the same manner as if executed by them in their natural capacity; and it shall not be competent for any

director fraudulently to resign his office with intent to avoid such liability, and if any director shall so attempt to resign his office with intent to avoid such liability, he shall be and continue liable, the same as if no such resignation had been attempted; *provided*, that no suit at law or in equity shall be commenced against any director or directors, to recover the amount of any such bills or notes until after six months from the time said corporation shall have become insolvent and suspended payment, and in case of any payment of such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other,

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the proviso in said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Smith, Stults, Swain—12.

So said motion

Was not agreed to.

Said section was then agreed to.

The fourteenth section of said bill, as follows—

14. *And be it enacted*, That in case of an action or law against any director or directors under the preceding section of this act, the plaintiff or plaintiffs may declare generally for money had and received; *provided*, that a schedule shall be annexed to said declaration setting forth that the said action is under and by virtue of the provisions of this act, and shall specify the dates, sums, payees, and number of the notes or bills upon which said action is brought,

Being under consideration,

Mr. Hoxsey moved to amend said section by striking out the proviso thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Laird, Somers—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Smith, Stults, Swain—12.

So said motion

Was not agreed to.

Said section was then agreed to.

The fifteenth section of said bill, as follows:

15. *And be it enacted*, That the bills or notes issued by said corporation shall not at any time exceed double the amount of its capital stock, actually paid in; and if the president or cashier thereof shall knowingly or wilfully issue, or cause or suffer to be issued, bills or notes of said corporation exceeding double the amount of its capital stock, actually paid in, such president or cashier shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding five thousand dollars, at the discretion of the court,

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word "*five*" in last line, and inserting the word "*fifty*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Depew, Hoxsey, Somers—3.

NAYS—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I.

Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—14.

So said amendment

Was not agreed to.

The same Senator then moved to amend said section by striking out the word "*five*" in the last line, and inserting the word "*fifteen*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing thereto, were as follows—

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Robertson, Somers—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Roberts, Smith, Swain —11.

So said motion

Was not agreed to.

The same Senator then moved to amend said section by inserting after the word "*dollars*" in the last line, the words "*and by imprisonment not exceeding ten years.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres) A. V. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers, Smith—9.

NAYS—Messrs. Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Roberts, Stults, Swain—9.

So said motion

Was not agreed to.

Said section was then agreed to.

The sixteenth section was then agreed to.

The seventeenth section of said bill as follows:

17. *And be it enacted*, That this act shall be deemed and considered a public act, and shall go into effect immediately, and continue in force for twenty years; but it shall be lawful for the legislature, at any time hereafter, to alter, modify or repeal the same, whenever, in their opinion, the public good shall require it,

Being under consideration,

Mr. Allen moved to amond the same by striking out, in the first and second lines thereof, the words, "shall be deemed and considered a public act, and."

Which motion was agreed to, and said words stricken out accordingly.

Said section as amended

Was then agreed to.

The seventh section of said bill as follows:

7. *And be it enacted*, That the said corporation shall not issue bills or notes of a less denomination than one dollar, and the bills or notes which may be issued by said corporation, signed by the president and countersigned by the cashier, promising the payment of money to any person or persons, his, her, or their order, or to bearer, although not under the seal of said corporation, shall be binding and obligatory on said corporation, and of like force and effect, and shall be assignable and negotiable in like manner, as if made by a natural person or persons; and all bills, obligatory and of credit, under the seal of said corporation, which shall be made for the payment of money to any person or persons, shall be assignable by assignment endorsed thereon, under the hand or hands of such person or persons, and his, her, or their assignee or assignees successively; and all bills or notes, bills obligatory or of credit, made or issued by said corporation, shall be deemed and taken to be payable and demandable at the banking house of said corporation,

Which was postponed yesterday while under consideration,

Was taken up.

Mr. Allen moved to amend the same by adding at the end of

said section the following words, "and at such other places as are now prescribed by law for the redemption of bills issued by the banks of the state of New Jersey."

Which amendment was agreed to, and

The section as amended agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

The bill entitled,

A supplement to the act entitled "An act to incorporate the Millstone and New Brunswick Railroad," passed the twenty-seventh day of February, A. D. eighteen hundred and thirty-seven;

Was taken up, read a second time, considered by sections, agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to extend the charter of the Mechanic's Bank at Burlington,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

Mr. Stults moved a suspension of so much of the twenty-third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to incorporate the City Bank of Perth Amboy;

Which was read for the first time by its title, and ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Robertson gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A further supplement to the act concerning Taxes.

On motion of Mr. Martin,

The Senate then adjourned.

WEDNSEDAY, January 31, 1855.

At 10 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of yesterday was read and approved.

Mr. Laird presented a petition from Thomas J. Brannin and others, citizens of the township of Wall, in the county of Monmouth, asking the passage of a law to prohibit the drawing of seines in Manasquan River, in this state, with a mesh less than an inch square.

Which was read, and referred to the committee on Miscellaneous Business.

Mr. Allen, from the committee on the Judiciary, to which was referred

The bill entitled,

An act to create the county of Union ;

Also,

The bill entitled,

A supplement to the act entitled "An act respecting apprentices and servants," approved April tenth, eighteen hundred and forty-six.

Reported the same, severally,
Without amendments.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly entitled

An act to incorporate the Rockaway Manufacturing Company ;

Also,

The bill from the House of Assembly, entitled

An act to incorporate the West Newark Cemetery Company,

Also,

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Northern Railroad Company, of New Jersey ;

Also,

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Trenton Saving Fund Society," passed the seventh day of March, eighteen hundred and forty-four;

Also,

The bill from the House of Assembly, entitled

An act to incorporate "The Farmers' Mutual Fire Insurance Company, at Moorestown, Burlington County;

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Camden Market Company;

Also,

The bill from the House of Assembly, entitled

A supplement to the act entitled "An act to incorporate the Hudson County Mutual Insurance Company," passed February eleventh, eighteen hundred and forty-two;

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Fairmount Cemetery Association, of the City of Newark;

Reported the same, severally,
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A supplement to the act entitled "An act to incorporate the Millstone and New Brunswick Railroad," passed the twenty-seventh day of February, A. D. eighteen hundred and thirty-seven;

Also,

The bill entitled,

An act to incorporate the Burlington Bank;

Also,

The bill entitled,

An act to incorporate the Great and Little Egg Harbor Turnpike Road Company,

Also,

The bill entitled,

An act to extend the charter of the Mechanic's Bank at Burlington,

And find the same to be correctly engrossed.

Mr. Martin gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Somerset County Agricultural Society.

Mr. Laird, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act for the preservation of fish in Manasquan River, in the counties of Monmouth and Ocean;

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Miscellaneous Business.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to an act entitled "An act to incorporate the

Burlington Gas Light Company," approved the tenth day of March, one thousand eight hundred and fifty-two ;

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Smith, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Camden and Cape Island Telegraph Company.

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. I. Bonnell moved a suspension of so much of the twenty-third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A further supplement to an act entitled "An act to incorporate the Sussex Zinc and Copper Mining and Manufacturing Company," approved February twenty-third, eighteen hundred and forty-eight.

Which was read for the first time by its title, ordered to have a second reading and referred to the Committee on Corporations.

Mr. Robertson, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A further supplement to the act concerning Taxes.

Which was read for the first time by its title, and ordered to have a second reading, and referred to the committee on the Judiciary.

The bill entitled,

An act to renew the charter of the Morris County Bank, With amendments,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Bordentown Banking Company,

Was taken up, read a second time, and the first, second, third, fourth, fifth and sixth sections considered and agreed to.

The seventh section of said bill, as follows—

7. *And be it enacted*, That the said corporation shall not issue bills or notes of a less denomination than one dollar, and the bills or notes which may be issued by said corporation, signed by the president and countersigned by the cashier, promising the payment of money to any person or persons, his, her, or their order, or to bearer, although not under the seal of said corporation, shall be binding and obligatory on said corporation, and of like force and effect, and shall be assignable and negotiable in like manner, as if made by a natural person or persons; and all bills, obligatory and of credit, under the seal of said corporation, which shall be made for the payment of money to any person or persons, shall be assignable by assignment endorsed thereon, under the hand or hands of such person or persons, and his, her, or their assignee or assignees successively; and all bills or notes, bills obligatory or of credit, made or issued by said corporation, shall be deemed and taken to be payable and demandable at the banking house of said corporation,

Being under consideration,

Mr. Allen moved to amend the same by adding at the end of said section the following words, "and at such other places as

are now prescribed by law for the redemption of bills issued by the banks of the state of New Jersey."

Which amendment was agreed to, and

The section as amended agreed to.

The remaining sections of said bill were then considered, amended and agreed to, and the bill ordered to be engrossed and have a third reading.

The engrossed bill entitled,

An act to incorporate the Burlington Bank;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Robertson, Somers,—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to extend the charter of the Mechanics Bank of Burlington,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Somers—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the New Jersey Steam Navigation Company;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults—13.

NAYS—Messrs. Alexander, (Pres.), I. Bonnell, Depew, Robertson, Swain—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill and request their concurrence.

The bill entitled,

An act to incorporate the Newark City Bank,

Was taken up, read a second time, and the first five sections considered and agreed to.

The sixth section of said bill, as follows—

6. *And be it enacted*, That the said corporation shall not is-

sue bills of a less denomination than one dollar; and that the stock of said corporation shall be considered as personal property; and that the stock or dividends arising therefrom shall be subject to such taxes as all the other banking institutions in this state are liable to, and their real estate shall be subject to be taxed as other lands in this state are or shall be taxed; and the directors may require payment for instalments unpaid at such times and in such proportions as they or a majority of them shall deem fit, under the penalty of the forfeiture of all previous payments thereon; and that previous notice of the instalments required to be paid after the first, and of the time when the same are to be paid, shall be published at least thirty days in two of the newspapers printed in the city of Newark,

Being under consideration,

Mr. Bramhall moved to amend the same by striking out the word "*one*," in the second line, and inserting the word "*five*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Bramhall, Depew, Robertson, Somers—4.

NAYS—Messrs. Alexander, (Pres.) Allen, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—13.

So said amendment

Was not agreed to.

The same Senator then moved to amend said section by striking out the word "*one*," in the second line, and inserting the word "*three*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Bramhall, Depew, Robertson, Somers—4.

NAYS—Messrs. Alexander, (Pres.) Allen, Chetwood, Cow-

perthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—13.

So said amendment

Was not agreed to.

The same Senator then moved to amend said section by striking out the word "*one*," in the second line, and inserting the word "*two*" in the place thereof.

Which motion was not agreed to.

Said section was then agreed to.

The seventh, eighth, ninth, tenth, eleventh and twelfth sections were then agreed to.

Mr. Chetwood moved to strike out the thirteenth and fourteenth sections, as follows:

13. *And be it enacted*, That if the Directors of said Bank shall at any time hereafter deem it expedient, it shall be lawful for them to increase the amount of their capital stock to any sum not exceeding two hundred and fifty thousand dollars, in the manner and under the same provisions as are directed in the said original act and supplement.

14. *And be it enacted*, That the number of directors in said bank, to be annually elected, shall be increased to thirteen.

Which motion was agreed to, and

Said sections were stricken out.

The remaining sections of said bill were considered and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

An act to authorize the inhabitants of the township of Bernards, in the county of Somerset, and the inhabitants of the township of West Milford in the county of Passaic, to vote by ballot at their town meetings,

Was taken up, read a second time, considered by sections,

amended, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Bordentown Savings Institution;

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

Mr. I. Bonnell moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A supplement to an act entitled "An act to incorporate the Sterling Zinc Company," approved March three, eighteen hundred and fifty-four;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Chetwood, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to the act entitled "An act to incorporate the Warren Rail Road Company."

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The same Senator moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least,

shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Lime and Cement Company, of the township of Elizabeth;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Roberts gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act causing a draw to be placed in the bridge over Big Timber Creek, at Westville, as well as the Railroad bridge about to be constructed at the same place;

Also,

A bill entitled,

An act for a charter of a bank, to be located at Beverly.

On motion of Mr. Roberts,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

An act to incorporate the Camden and Blackwoodtown Turnpike Company.

Also,

The bill entitled

An act to incorporate the City Bank of Perth Amboy;

Also,

The bill entitled,

Supplement to an act entitled "An act to incorporate the Burlington Gas-Light Company," approved the tenth of March, one thousand eight hundred and fifty-two;

Also,

The bill entitled,

An act to incorporate the Philadelphia and Cape Island Telegraph Company;

Also,

The bill entitled,

An act to incorporate the Lime and Cement Company, of the township of Elizabeth;

Reported the same severally without amendment.

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to renew the charter of of the Morris County Bank; With amendments;

And find the same to be correctly engrossed.

The bill entitled,

An act to incorporate the Freehold Banking Company

Was taken up, read a second time, considered by sections amended and agreed to.

Mr. Laird moved to re-consider the vote by which the third section was agreed to;

Which motion was agreed to, and the vote re-considered accordingly.

The third section was then amended and agreed to, and said bill ordered to be engrossed and have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, January 31, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that they have passed the following bills, severally entitled:

A supplement to an act entitled "An act to incorporate the Newark Plank Road and Ferry Company," approved February fourth, eighteen hundred and forty-nine;

Also,

"An act to incorporate the Evangelical Lutheran Churches of the State of New Jersey;"

Also,

"An act to incorporate the Centreton Turnpike Company;

Also,

"An act to revise, continue in force, and amend an act entitled 'An act to enable the owners and possessors of the meadows and marsh land adjoining the creek commonly called Crowkill, in the county of Hudson, to erect and maintain banks, dykes, dams, and water-works, sufficient to prevent the tide from overflowing the same,'" passed March eleventh, eighteen hundred and forty-two:

Also,

The Joint Resolution, entitled

"Joint Resolution relative to the appointment of Commissioners to represent the State at the French National Exhibition."

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has passed

The bill from the Senate entitled,

"An act to anthorize the construction of a draw or swing bridge over the Elizabethtown Creek,"

With an amendment;

In which amendment the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill from the House of Assembly, entitled

An act to incorporate the Centreton Turnpike Company;

Was taken up, read a first time by its title, ordered to have a

second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Evangelical Lutheran Churches of the State of New Jersey;

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly, entitled

A supplement to the act entitled "An act to incorporate the Newark Plank Road and Ferry Company," approved February twenty-fourth, eighteen hundred and forty-nine;

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled

An act to revise, continue in force, and amend an act entitled "An act to enable the owners and possessors of the meadows and marsh lands adjoining the creek commonly called Crow-kill, in the county of Hudson, to erect and maintain banks, dykes, draws, and water-works, sufficient to prevent the tide from overflowing the same," passed March eleventh, eighteen hundred and forty-two;

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The Joint Resolution from the House of Assembly, entitled,

Joint Resolution relative to the appointment of Commissioners to represent the State at the French National Exhibition;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Miscellaneous Business.

The engrossed bill entitled,

An act to authorize the construction of a draw or swing bridge over the Elizabethtown Creek;

And the amendments made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

Mr. Rea presented a petition from A. S. Tuttle, and others, citizens of the county of Warren, asking the charter of a special bank, to be located at Hacketstown, in said county,

Which was laid on the table without reading.

The bill entitled,

An act to incorporate the Hackettstown Bank, of the county of Warren, at Hacketstown;

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Central Bank of New Jersey;

Was taken up, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

Mr. Rea moved that the vote by which

The bill entitled,

An act to incorporate the Hackettstown Bank, of the county of Warren, at Hacketstown,

Was ordered to be engrossed and have a third reading, be re-considered;

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator then moved that the vote by which the fifteenth section of said bill was agreed to, be reconsidered;

Which motion was agreed to, and said vote re-considered accordingly.

Said section was then amended and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Phillipsburg Bank;

Was taken up, read a second time, and the first and second sections thereof considered and agreed to.

The third section thereof, as follows:

3. *And be it enacted*, That the affairs of said corporation shall be managed by a board of nine directors, five of whom shall be a quorum for the transaction of business, except in cases of discount, which may be regulated by the by-laws; that the said directors shall be stockholders, and shall, before entering upon the duties of their office, severally take and subscribe an oath or affirmation, faithfully to execute the trust reposed in them as directors; that the directors shall hold their offices for one year, and until their successors shall be chosen; that the annual election of directors shall be on the second Tuesday of April, in every year, at the banking house of said corporation, at such time as the board of directors shall appoint, of which election at least fourteen days' notice shall be given by the directors, by advertisement in one of the newspapers printed at Belvidere; that the said election shall be by ballot, those having the greatest number of votes to be deemed elected, and shall be by such of the stockholders as may attend, in person or by proxy, they being respectively entitled to one vote for each share of stock held in his, her or their own name or names, for at least three calendar months next before the election; that for the well ordering of said election, the board of directors shall, previously thereto, appoint three stockholders, not being directors, to be judges thereof, who shall conduct the election and determine upon the legality of votes, the elegibility of persons voted for, and who shall be elected: and in all cases of an equality of votes between two or more persons voted for, avoiding an election of a full board, the said judges, or a majority of them, shall thereupon select from those not elected and having the highest number of votes, as many as may be required to make up the number of nine directors: and the directors so elected shall, at the first meeting

thereafter, when a quorum shall be present, elect one of said nine directors to be president, as well of their board, as of said corporation: and whenever a vacancy shall occur in said board of directors, by death, resignation, or otherwise, such vacancy may be filled, for the remainder of the year, by the board of directors: and if at any time it shall so happen that an election of directors shall not take place at the time above required, the corporation shall not for that reason be deemed dissolved, but an election thereof shall be had as soon as conveniently may be thereafter, upon like notice as above directed, at the place and in the mode above specified,

Being under consideration,

Mr. Rea moved to amend the same by inserting after the word "*directors*" in the second line, the words "*two-thirds of whom shall be residents of this State.*"

Mr. Bramhall moved to amend said amendment by inserting arter the word "*directors*" in the second line, the words "*who shall be residents of this State.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment to the amendment, were as follows:

AYES—Messrs. Alexander, (Pres.), Bramhall, Cowperthwaite, Depew, Franklin, Laird, Robertson, Somers—8.

NAYS—Messrs. Allen, I. Bonnell, Chetwood, Howell, Martin, Rea, Roberts, Stults, Swain—9.

So said amendment to the amendment

Was not agreed to.

Said amendment was then agreed to, and the section as amended agreed to.

The fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth sections were then considered and agreed to.

The thirteenth section of said bill, as follows:

13. *And be it enacted*, That the President and Directors of said corporation shall be residents of this State, and shall be

jointly and severally liable for the payment of all the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, and may be, jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes in the same manner as if executed by them in their natural capacity; and it shall not be competent for any director fraudulently to resign his office with intent to avoid such liability, and if any director shall so attempt to resign his office with intent to avoid such liability, he shall be and continue liable, the same as if no such resignation had been attempted; *provided*, that no suit at law or in equity shall be commenced against any director or directors, to recover the amount of any such bills or notes until after six months from the time said corporation shall have become insolvent and suspended payment, and in case of any payment of such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other,

Being under consideration,

Mr. Rea moved to amend the same by striking out in second line thereof, the words "*who shall be residents in this State, and.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, I. Bonnell, Chetwood, Howell, Martin, Rea, Roberts, Smith, Stults, Swain—10.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Cowperthwaite Depew, Franklin, Laird, Robertson, Somers—8.

So said motion was agreed to, and

Said words stricken out.

The section as amended was then agreed to.

The remaining sections of said bill were considered and agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Passaic Paint Company,

Was taken up, read a second time, and the first section considered and agreed to.

The second section as follows :

2. *And be it enacted*, That the capital stock of the company shall be three hundred thousand dollars, with the privilege of increasing the same to five hundred thousand dollars, divided into shares of ten dollars each—and the said shares shall be deemed and considered personal estate, and it shall be lawful for said company to grant certificates of shares in full or part payment for the real and personal estate and mining rights that may be purchased or leased, and by the by-laws to compel payments for instalments, not exceeding three dollars on each share at any one time, not deemed or declared full stock —and on failure to pay any instalment to forfeit the stock, and all previous payments made thereon, giving at least sixty day's previous notice of such call and demand in a newspaper published in the county of Sussex and in the county of Passaic, and in a paper published in the city of New York,

Being under consideration,

Mr. Robertson moved to amend the same by striking out the word "*ten*," in the third line, and inserting the word "*fifty*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing thereto, were as follows—

Ayes—Messrs Bramhall, Depew, Laird, Robertson—4.

Nays—Messrs. Alexander, (Pres.), I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults, Swain—12.

So said amendment

Was not agreed to.

Said section was then agreed to.

The remaining sections of said bill were then considered and

agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. Rea moved to re-consider the vote by which

The bill entitled,

An act to incorporate the Phillipsburg Bank

Was ordered to be engrossed and have a third reading.

Which motion was agreed to, and

The vote re-considered accordingly.

The same Senator then moved to re-consider the vote by which the thirteenth section of said bill was agreed to.

Which motion was agreed to, and

The vote re-considered accordingly.

The thirteenth section was then amended and agreed to, and the bill ordered to be engrossed and have a third reading.

On motion of Mr. Roberts,

The Senate then adjourned.

THURSDAY, February 1, 1855.

At 10 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of yesterday was read and approved.

Mr. Martin presented a remonstrance from Daniel Bullman and others, inhabitants of the township of Plainfield, in the county of Essex, against the creation of the new county of Union.

Which was read and ordered to lie on the table.

Mr. Chetwood presented a petition from Frank J. Falknell and others, residents of the townships of Westfield, Plainfield, Union, New Providence, Elizabeth, Rahway and Springfield, asking that said townships may be set off from the county of Essex into a new county to be called the county of Union.

Which was read, and ordered to lie on the table.

Mr. A. V. Bonnell gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to change the name of the Union Presbyterian Church of Georgetown and Lambertville, in the county of Hunterdon.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

A further supplement to an act entitled "An act to incorporate the Sussex Zinc and Copper Mining and Manufacturing Company," approved February twenty-third, eighteen hundred and forty-eight.

Also,

The bill entitled,

A supplement to an act entitled "An act to incorporate the Sterling Zinc Company," approved March three, eighteen hundred and fifty-four;

Reported the same, severally,
Without amendments.

Mr. Allen, from the committee on the Judiciary, to which was referred

The bill from the House of Assembly, entitled

An act to incorporate the Evangelical Lutheran Churches in the state of New Jersey;

Also,

The bill from the House of Assembly, entitled

An act to revise, continue in force and amend an act entitled 'An act to enable the owners and possessors of the meadows and marsh lands adjoining the creek commonly called Crow-kill, in the county of Hudson, to erect and maintain banks, dykes, dams and water-works sufficient to prevent the tide from overflowing the same," passed March eleventh, eighteen hundred and forty-two;

Reported the same, severally,
Without amendment.

The President laid before the Seuate the Report of the Morris Canal and Banking Company.

(For report see Appendix.)

Which was ordered to lie on the table.

Mr. Chetwood gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A supplement to an act entitled "An act to incorporate the Elizabethtown Savings Institution," approved March first, eighteen hundred and fifty.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to incorporate the Phillipsburg Bank;

Also,

The bill entitled

An act to incorporate the Newark City Bank;

Also,

The re-engrossed bill entitled,

An act to authorize the construction of a draw or swing bridge over the Elizabethtown Creek;

And find the same to be correctly engrossed.

Mr. Swain gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act for the preservation of Terrapins.

The re-engrossed bill entitled,

An act to authorize the construction of a draw or swing bridge over Elizabethtown Creek,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Depew, Laird, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re engrossed, and has passed the same.

The engrossed bill entitled,

An act to renew the charter of the Morris County Bank; With amendments,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Robertson, Stults, Swain—13.

Nays—Messrs. Alexander, (Pres.), Depew, Somers, Smith—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Newark City Bank;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

Ayes—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—14.

Nays—Messrs. Alexander, (Pres.) Depew, Robertson, Somers—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. Allen moved that the vote by which

The bill entitled,

An act to incorporate the Phillipsburg Bank

Was ordered to be engrossed have a third reading,

Be re-considered ;

Which motion was agreed to, and the vote re-considered accordingly.

Mr. Rea moved to re-consider the vote by which the the thirteenth section of said bill was agreed to :

Which motion was agreed to, and the vote re-considered accordingly.

The thirteenth section of said bill, as follows :

13. *And be it enacted*, That the President and Directors of said corporation shall be jointly and severally liable for the payment of all the bills or notes of said corporation, which may be in circulation at the time of its becoming insolvent, and may be, jointly or severally prosecuted at law or in equity, by the holder or holders of any such bills or notes in the same manner as if executed by them in their natural capacity ; and it shall not be competent for any director fraudulently to resign his office with intent to avoid such liability , and if any director shall so attempt to resign his office with intent to avoid such liability, he shall be and continue liable, the same as if no such resignation had been attempted ; *provided*, that no suit at law or in equity shall be commenced against any director or directors, to recover the amount of any such bills or notes until after six months from the time said corporation shall have become insolvent and suspended payment, and in case of any payment of such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other,

Was then taken up and considered.

Mr. Rea moved to amend said section by restoring at the beginning of the second line, the words "*shall be residents of this*

State, and," which were stricken out on a former reading of said bill;

Which motion was agreed to, and the words restored.

Mr. Hoxsey moved further to amend said section by inserting in the first line, after the word "*directors,*" the words "*and stockholders.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, Somers—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts Smith, Stults, Swain—14.

So said motion

Was not agreed to.

The same Senator then moved to amend said section, by striking out the *proviso* thereof;

Which motion was not agreed to.

The section as amended was then agreed to.

Mr. Hoxsey moved that the vote by which the fifteenth section of said bill was agreed to, be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Martin, Robertson, Somers, Smith—8.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Rea, Roberts, Stults, Swain—11.

So said motion

Was not agreed to.

Mr. Allen moved to re-consider the vote by which the third section of said bill was agreed to;

Which motion was agreed to, and the vote re-considered accordingly.

The third section thereof, as follows:

3. *And be it enacted*, That the affairs of said corporation shall be managed by a board of nine directors, two-thirds of whom shall be residents of this State, five of whom shall be a quorum for the transaction of business, except in cases of discount, which may be regulated by the by-laws; that the said directors shall be stockholders, and shall, before entering upon the duties of their office, severally take and subscribe an oath or affirmation, faithfully to execute the trust reposed in them as directors; that the directors shall hold their offices for one year, and until their successors shall be chosen; that the annual election of directors shall be on the second Tuesday of April, in every year, at the banking house of said corporation, at such time as the board of directors shall appoint, of which election at least fourteen days' notice shall be given by the directors, by advertisement in one of the newspapers printed at Belvidere; that the said election shall be by ballot, those having the greatest number of votes to be deemed elected, and shall be by such of the stockholders as may attend, in person or by proxy, they being respectively entitled to one vote for each share of stock held in his, her or their own name or names, for at least three calendar months next before the election; that for the well ordering of said election, the board of directors shall, previously thereto, appoint three stockholders, not being directors, to be judges thereof, who shall conduct the election and determine upon the legality of votes, the elegibility of persons voted for, and who shall be elected: and in all cases of an equality of votes between two or more persons voted for, avoiding an election of a full board, the said judges, or a majority of them, shall thereupon select from those not elected and having the highest number of votes, as many as may be required to make up the number of nine directors: and the directors so elected shall, at the first meeting thereafter, when a quorum shall be present, elect one of said nine directors to be president, as well of their board, as of said corporation: and whenever a vacancy shall occur in said board of directors, by death, resignation, or otherwise, such vacancy may be filled, for the remainder of the year, by the board of directors: and if at any time it shall so happen that an election

of directors shall not take place at the time above required, the corporation shall not for that reason be deemed dissolved, but an election thereof shall be had as soon as conveniently may be thereafter, upon like notice as above directed, at the place and in the mode above specified,

Was taken up and considered.

Mr. Allen moved to amend said section by striking out in the second line, after the word "*directors*" the words "*two-thirds of whom shall be residents of this State,*" which were inserted on a former reading of said bill, and insert in their place the words, "*who shall be residents of this State.*"

Which motion was agreed to, and the section as amended was agreed to.

Mr. Hoxsey moved to re-consider the vote by which the ninth section was agreed to;

Which motion

Was not agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

The bill entitled,

A further supplement to the act entitled "An act to incorporate the Morris and Essex Railroad Company," passed the the twenty-ninth day of January, one thousand eight hundred and thirty-five,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to establish a State Normal School;

Was taken up, read a second time and the first five sections considered and agreed to.

On motion of Mr. Hoxsey,

The consideration of the sixth section of said bill was postponed for the present.

The seventh section was then considered and agreed to.

The eighth section being under consideration,

Mr. Hoxsey moved to postpone the further consideration of the same for the present;

Which motion was agreed to, and said section postponed accordingly.

The ninth and tenth sections were then considered and agreed to.

The eleventh section of said bill, as follows:

11. *And be it enacted,* That for the support of the Normal School, and to carry out the purposes and designs of this act in a manner worthy of the State of New Jersey, there is appropriated hereby the annual sum ten thousand dollars for five successive years, to be paid ont of the Treasury of this State,

Being under consideration,

Mr. Stults moved to amend the same by striking out the word "*ten*" in the third line, and inserting the word "*five*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Allen, I. Bonnell, Depew, Stults—4.

NAYS—Messrs. Alexander, (President), A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Smith, Swain—14.

So said amendment

Was not agreed to.

Mr. A. V. Bonnell, moved to amend said section by adding at the end of the same, the words "*upon the warrant of the Governor.*"

Which motion was agreed to, and said section so amended, then agreed to.

The twelfth section was then considered and agreed to.

The sixth section of said bill, as follows:

6. *And be it enacted*, That the number of pupils shall not exceed two hundred and forty, or in the proportion of three for each member of the senate and general assembly, and each county shall be entitled to fill three times as many seats in the school as it has representatives in the legislature; the town superintendents of each township shall be requested to forward to the board of trustees of the normal school, annually, the names of four persons, two male and two female applicants for admission to said school, whom the said superintendants shall certify as persons in good health, and of proper moral qualifications as teachers, which applicants shall have given to the said saperintendents a written declaration signed with their own hands that their object in seeking admission to the school is to qualify themselves for the employment of common school teachers, and that it is their intention to engage in that employment in this State, and the said applicants shall be recommended to the trustees by the town superintendents as suitable persons by their age, character, talents, and attainments to be received as pupils of the Normal School,

Was then taken up and considered.

Mr. Hoxsey then moved to amend the same by inserting in the fifth line, after the word "*superintendents*," the words—"school committees or boards of education"—also, by inserting in the same line, after the word "*townships*," the words, "or city"—also by inserting, after the word "*superintendents*," in the eighth, tenth and fourteenth lines, the words, "school committees or boards of education."

Which amendments were agreed to.

Mr. Robertson moved further to amend said section by inserting, after the word "*state*," in the thirteenth line, the words, "for at least two years."

Which amendment was agreed to, and the section as amended agreed to.

On motion of Mr. Hoxsey,

The further consideration of said bill was postponed for the present.

The bill entitled,

An act to incorporate the Camden and Cape Island Telegraph Company.

Was taken up, read a second time, and the first five sections considered and agreed to.

The sixth section thereof as follows:—

6. *And be it enacted*, That it shall be the duty of the said company, at all times, without charge, on request of any public officer of this state, to transmit confidential messages, relating to the public business thereof, and also at all times to assist the police officers of this state, by transmitting intelligence, when required by the public interests, and no other tax or duty shall be imposed on said company,

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out after the word "*interests*," in the fifth line, the words, "and no other tax or duty shall be imposed on said company."

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Mr. Hoxsey—1.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Cowperthwaite, Franklin, Howell, Martin, Rea, Robertson, Somres, Smith, Stults, Swain—13.

So said amendment

Was not agreed to.

The same Senator then moved to amend said section by striking out all after the word "*interests*," in the fifth line, and inserting the following words, "*Provided*, that they shall pay a tax into the state treasury whenever the nett earnings of said company shall exceed six per cent upon their capital stock paid in."

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. A. V. Bonnell, Cowperthwaite, Hoxsey, Martin, Robertson, Smith—6.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Howell, Rea, Somers, Stults, Swain—8.

So said amendment

Was not agreed to.

Said section was then agreed to.

The seventh section of said bill as follows—

7. *And be it enacted*, That the subscribers to the capital stock of the said company shall not be liable, in any event, beyond the amount of their subscription,

Was then considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. I. Bonnell, Robertson, Smith, Stults, Swain —5.

NAYS—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Somers—11.

So said section

Was not agreed to.

Mr. Smith moved that the further consideration of said bill be postponed for the present.

Which motion was agreed to,

And the bill postponed accordingly.

The bill entitled,

Supplement to an act entitled "An act to incorporate the Bur-

lington Gas-Light Company," approved the tenth of March, one thousand eight hundred and fifty-two;

Was taken up, read a second time, and the first and second sections thereof considered and agreed to.

The third section thereof as follows—

3. *And be it enacted*, That this act shall take effect immediately,

Was taken up.

Mr. Allen moved to strike out said section.

Which motion was agreed to, and

Said section stricken out.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the Merchants Transportation Company of the City of Trenton,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Trenton Saving Fund Society," passed the seventh day of March, eighteen hundred and forty-four,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. A. V. Bonnell offered the following resolution:

Resolved, That the committee on Finance be instructed to report the bill for the appointment of a Bank Commissioner without delay.

Mr. Allen moved to postpone the consideration of said resolution until to-morrow morning.

Mr. Hoxsey moved to amend said motion by postponing the further consideration of said resolution until next Wednesday.

Which motion was not agreed to.

The motion of Mr. Allen,

To postpone the same until to-morrow morning,
Was then agreed to.

On motion of Mr. Allen,

The Senate then adjourned.

At three o'clock the Senate met.

Mr. Stults presented a petition from John Manning and others, citizens of Perth Amboy and vicinity, asking the Legislature to grant a charter for a bank, to be located at Perth Amboy, in the county of Middlesex.

Which was read and ordered to lie on the table.

Mr. Laird from the Committee on Corporations to which was referred

The bill from the House of Assembly entitled

An act to incorporate the Centreton Turnpike Company,

Reported the same,

Without amendment.

Mr. Depew from the Committee on Miscellaneous Business, to which was referred

The bill entitled,

An act for the preservation of fish in Manasquan River, in the counties of Monmouth and Ocean;

Also,

The Joint Resolution from the House of Assembly, entitled,

Joint Resolution relative to the appointment of Commissioners to represent the State at the French National Exhibition;

Reported the same, severally,
Without amendments.

The engrossed bill entitled,

An act to incorporate the Great and Little Egg Harbor Turnpike Road Company,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 1, 1855.

Mr. President :—

I am directed by the House of Assembly to inform the Senate that they have passed the following bills, severally entitled :

"An act to incorporate the Port Monmouth Transportation Company."

"An act to incorporate the Farmers and Oysterman's Independent Steamboat Association."

"An act to incorporate the Elizabethtown Gas Light Company."

"An act to incorporate the Port Monmouth Association for building on and improving certain lands located at Port Monmouth."

In which the concurrence of the Senate is requested.

Also,

They have passed

The bills from the Senate, severally entitled,

"An act to incorporate the Bordentown Reservoir and Water Company ;"

"A supplement to an act entitled 'An act to authorize the Trustees of the Woodbury Methodist Episcopal Church, to sell a part of their Church lot,'" approved March second, eighteen hundred and fifty-four ;".

"An act to incorporate the Stockton Land Association ;"

Without amendments.

Also,

That they have passed

The bill from the Senate entitled,

A further supplement to the act entitled, "An act to incorpo-

rate the Sussex and Warren Railroad Company," approved February twenty-first, eighteen hundred and fifty-one;

With amendments.

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill from the House of Assembly, entitled

An act to incorporate the Port Monmouth Transportation Company;

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Farmers and Oystermen's Independent Steamboat Association;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The bill from the House of Assembly entitled

An act to incorporate "the Elizabethtown Gas-Light Company;

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Port Monmouth Association for building and improving certain lands, located at Port Monmouth;

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill entitled,

A further supplement to the act entitled "An act to incorporate the Sussex and Warren Railroad Company," approved February twenty-first, eighteen hundred and fifty-one;

And the amendments made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

A supplement to an act entitled, "An act to authorize the trustees of the Woodbury Methodist Episcopal Church, to sell a part of their Church lot," approved March second, eighteen hundred and fifty-four;

Also,

The bill entitled,

An act to incorporate the Stockton Land Association;

Also,

The bill entitled,

An act to incorporate the Bordentown Reservoir and Water Company:

Also,

The bill entitled,

An act to authorize the construction of a draw or swing bridge over Elizabethtown Creek,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,

Secretary of Senate.

The bill entitled,

An act to establish a State Normal School,

Which was postponed this morning, pending the consideration of the eighth section,

Was taken up, and the eighth section read, as follows:

8. *And be it enacted*, That if at the time appointed for the examination of said applicants, there should not be as many applicants as the counties may be entitled to have members of the school, who in the judgment of the trustees have the proper qualifications of moral character, good health, and talents, then the trustees may select by lot or otherwise from the applicants from other counties, such as have the certificates of admission, and if at any time in the term the seat of any pupil shall become vacated under such rules and regulations as the board of trustees may adopt, then an appointment to such vacant seat may be sent to some applicant not hitherto accommodated.

Mr. Hoxsey moved to amend said section by inserting after the word "*trustees*" in the fifth line, the following words, "shall give notice to the town superintendents, school committee, or board of education aforesaid, to appoint one or more persons, as may be necessary, in place of the persons rejected by said trustees; and in case of failure so to do, for one month after such notice then the said trustees,"

Which amendment was agreed to, and the section as amended agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the City Bank of Perth Amboy,

Was taken up, read a second time, and the first eight sections considered and agreed to.

The ninth section thereof, as follows:

9. *And be it enacted*, That the rate of discount on loans shall not exceed the legal rate of interest now allowed to simi-

lar corporations, and no transfer of stock shall be valid until any debt or debts which may be due the company from the transfer shall have been fully discharged, nor until such transfer shall have been registered in a book to be kept for that purpose,

Being under consideration,

Mr. Hoxsey moved to amend the same by adding at the end of said section the following: "*provided, the rate of interest shall at no time exceed the rate of six per cent. per annum.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Roberts, Smith, Stults, Swain —11.

So said amendment

Was not agreed to.

Said section was then agreed to.

The tenth, eleventh, twelfth, and thirteenth sections were then agreed to.

The fourteenth section of said bill, as follows:

14. *And be it enacted*, That the bills or notes to be issued by the corporation shall not exceed at any time double the amount of capital stock actually paid in; and if it should so happen knowingly or wilfully, the officers so issuing more than double such amount shall be guilty of a misdemeanor, and on conviction, shall be punished by fine, not exceeding five thousand dollars.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word "*double*" in the second and fourth lines thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, Somers—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—12.

So said amendment

Was not agreed to.

Said section was then agreed to.

The fifteenth and sixteenth sections were then considered, amended and agreed to.

Mr. Hoxsey moved to re-consider the vote by which the fourteenth section of said bill was agreed to.

Which motion was not agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Philadelphia and Cape Island Telegraph Company,

Which was postponed this morning, pending the consideration of the seventh section thereof,

Was taken up, and,

On motion of Mr. Smith,

The seventh and eighth sections thereof as follows—

7. *And be it enacted*, That the subscribers to the capital stock of the said company shall not be liable, in any event, beyond the amount of their subscription.

8. *And be it enacted*, That this act shall take effect immediately,

Were stricken out.

The same Senator offered a new section, to be called section seven, as follows—

7. *And be it enacted*, That this charter shall continue in force twenty years, and may be altered, amended or repealed, at the pleasure of the Legislature.

Which was considered and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Camden and Blackwoodtown Turnpike Company,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

Mr. Somers moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

Supplement to the act entitled "An act respecting Coroners," approved April seventeenth, eighteen hundred and forty-six.

Which was read for the first time by its title, and ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly, entitled

An act to incorporate the Farmer's Mutual Fire Insurance Company at Moorestown, Burlington county.

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

On motion of Mr. Laird,

The Senate then adjourned.

FRIDAY, February 2, 1855.

At 10 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of yesterday was read and approved.

Mr. Martin presented a remonstrance from William C. Ayres and others, inhabitants of the township of Plainfield, in Essex county, against the creation of the new county of Union.

Which was laid on the table without reading.

Mr. Hoxsey, from the committee on the Judiciary, to which was referred the petition of the devisees of Abraham Arndt, deceased, for the sale of certain real estate, reported

A bill entitled,

An act to authorize the sale of certain real estate in the county of Warren, whereof Abraham Arndt died seized.

Which was read for the first time by its title, and ordered to have a second reading.

Mr. Bramhall, from the majority of the committee on Finance, to which was referred

The bill entitled,

An act relative to the office of Bank Superintendent,

Presented the following report :

"The Committee on Finance to which was referred Senate Bill No. 41, entitled An act relative to the office of Bank Superintendent, beg leave to report, that in the opinion of a majority of the committee, the objects sought to be accomplished by the bill, can be better provided for in a supplement to the General Banking Law, which the committee are now preparing, and will present to the senate at an early day. The committee believe that all the salutary provisions contained in the present bill, having for their objects additional safety for the keeping of the securities pledged for the redemption of Bank Notes, and a more frequent examination and statement of the condition of the banks, can be embraced in the supplemental act before referred to, without the appointment of an additional salaried State officer, as contemplated by the bill now before the Senate: therefore the committee would report that in their judgment it is inexpedient for the Senate to take any further action upon this bill."

M. B. BRAMHALL,
THOS. D. HOXSEY, } Committee.

Mr. Allen, from the minority of the committee on Finance, to which was referred

The bill entitled,

An act relative to the office of Bank Superintendent,

Reported the same,
Without amendment.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly, entitled

An act to incorporate the Port Monmouth Transportaiton Company;

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Farmers and Oysterman's Independent Steamboat Association:

Also,

The bill from the House of Assembly entitled,

An act to incorporate the Elizabethtown Gas Light Company;

Also,

The bill from the House of Assembly entitled,

An act to incorporate the "Port Monmouth Association for building on and improving certain lands located at Port Monmouth;"

Also,

The bill from the House of Assembly entitled,

A supplement to the act entitled "An act to incorporate the Newark Plank Road and Ferry Company," approved February twenty-fourth, eighteen hundred and forty-nine;

Reported the same severally without amendment.

Mr. Howell, from the majority of the special committee to which was referred

The bill from the House of Assembly entitled,

An act for the suppression of Intemperance,

Presented the following report:

"The special committee, to whom was referred Assembly bill No. 10, for the suppression of Intemperance, beg leave to report

the same with sundry amendments—and as the amendments are numerous, do recommend the re-printing of the bill for the use of the Senate, under the direction of the committee.

LEWIS HOWELL,
JOSHUA SWAIN,
SAMUEL K. MARTIN.

Mr. Allen, from the minority of the same committee,

Reported a substitute for said bill, entitled

An act for the suppression of the manufacture and sale of intoxicating liquors as a beverage.

On motion of Mr. Allen,

It was ordered, That the original bill, with the amendments of the majority of the committee, and the substitute reported by the minority of said special committee, be printed under the direction of the committee, and that the reports lie on the table.

Mr. A. V. Bonnell, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to change the name of the Union Presbyterian Church of Georgetown and Lambertville, in the county of Hunterdon.

Which was read for the first time by its title, and ordered to have a second reading, and referred to the committee on the Judiciary.

Mr. A. V. Bonnell gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Lambertville Water Company.

Mr. Allen moved a suspension of so much of the twenty-third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Burlington county Iron Manufacturing Company.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Martin moved that the vote by which

The bill entitled,

A supplement to the act entitled "An act to incorporate the Millstone and New Brunswick Railroad," passed the twenty-seventh day of February, A. D. eighteen hundred and thirty-seven;

Was ordered to be engrossed and have a third reading,

Be re-considered;

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator moved to re-consider the vote by which the first section was agreed to.

Which motion was agreed to, and

The vote re-considered.

Said bill was then up, and the first and second sections thereof amended and agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. I. Bonnell, from the committee on Agriculture, to which was referred the communication from the Executive Committee of the State Agricultural Society, reported

A bill entitled,

An act for the promotion of the agricultural interests of this State;

Which was read for the first time by its title, and ordered to have a second reading.

The bill from the House of Assembly entitled,

An act to incorporate "The Farmers' Mutual Fire Insurance Company, at Moorestown, Burlington County;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Hoxsey, Robertson, Somers—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly, entitled

An act to incorporate the Merchants Transportation Company of the City of Trenton,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnel, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Frank-

lin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—18.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Trenton Saving Fund Society," passed the seventh day of March, eighteen hundred and forty-four,

Was taken up and read a third time.

Mr. Hoxsey moved to reconsider the vote by which said bill was ordered to be engrossed and have a third reading;

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator moved to re-commit said bill to the committe on Corporations,

Which motion was agreed to, and the bill recommitted.

The bill entitled,

A further supplement to the act entitled, "An act to incorporate the city of Paterson," approved March nineteenth, eighteen hundred and fifty one,

Was taken up, read a second time, and the first six sections considered and agreed to.

Mr. Hoxsey moved to postpone the consideration of the seventh, eighth, ninth, tenth, and eleventh, sections for the present.

Which motion was agreed to, and said sections postponed accordingly.

The twelfth section was considered and agreed to.

On motion of Mr. Hoxsey,

The consideration of the thirteenth section was postponed for the present.

The fourteenth section was then considered and agreed to.

On motion of Mr. Hoxsey,

The consideration of the fifteenth section was postponed for the present.

The remaining sections of said bill were then considered and agreed to.

Mr. Hoxsey moved to re consider the vote by which the eighteenth section was agreed to,

Which motion was agreed to, and the vote re-considered.

The same Senator then moved to postpone said section for the present;

Which was not agreed to.

On motion of the same Senator the further consideration of said bill was postponed for the present.

The bill entitled,

A supplement to an act entitled "An act respecting apprentices and servants," approved April tenth, eighteen hundred and forty-six,

Was taken up, read a second time, considered by sections and agreed to.

Mr. Hoxsey moved to strike out the enacting clause of said bill.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Hoxsey, Stults—2.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Swain—13.

So said motion
Was not agreed to.

Said bill was then ordered to be engrossed and have a third reading.

The bill entitled,

An act relative to the quantity of land that may be held by certain railroad companies,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed, and have a third reading.

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A supplement to the act entitled "An act to incorporate the Millstone and New Brunswick Railroad," passed the twenty-seventh day of February, A. D. eighteen hundred and thirty-seven;

Also,

The bill entitled,

An act to incorporate the Phillipsburg Bank,

Also,

The re-engrossed bill entitled,

A further supplement to the act entitled, "An act to incorporate the Sussex and Warren Railroad Company," approved February twenty-first, eighteen hundred and fifty-one;

Also,

The bill entitled,

An act to incorporate the Bordenton Savings Institution;

Also,

The bill entitled,

An act to incorporate the Freehold Banking Company,

And find the same to be correctly engrossed.

Mr. A. V. Bonnell moved a suspension of so much of the

twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

Upon its final passage at this time,

The bill entitled,

A supplement to the act entitled an act to incorporate the Millstone and New Brunswick Railroad," passed the twenty-seventh of February, eighteen hundred and thirty-seven;

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Robertson, Somers, Stults, Swain—15.

NAYS—Messrs. Alexander, (Pres.) Depew—2.

Ordered, That the President sign said bill, the Secretary carit to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. Hoxsey moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to authorize a change in the artillery carriages of the State Arsenal, and to attach percussion locks,

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on the Militia.

Mr. Chetwood, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to an act entitled "An act to incorporate the Elizabethtown Savings Institution," approved March first, eighteen hundred and fifty.

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

An act to incorporate the Weymouth Farm and Agricultural Company,

Was taken up, read a second time and the first five sections thereof considered and agreed to.

The sixth section of said bill as follows—

6. *And be it enacted,* That this act shall be deemed and taken a public act, and shall take effect immediately,

Being under consideration,

Mr. Howell moved that said section be stricken out.

Which motion was agreed to, and the section stricken out.

Said bill having been read a second time, considered by sections, amended and agreed to, the amendments were ordered to be engrossed, and the bill to have a third reading.

Mr. Allen gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to authorize the sale of perishable property on canals and railways, in certain cases.

On motion of Mr. I. Bonnell,
The Senate then adjourned.

At three o'clock the Senate met.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

An act to incorporate the Burlington County Iron Manufacturing Company,

Reported the same,
Without amendment.

Mr. I. Bonnell offered the following resolution:

Resolved, That when the Senate adjourns, it adjourn to meet again on Monday next, at 3 o'clock, P. M.

Which was read and agreed to.

The engrossed bill entitled,

An act to incorporate the Bordentown Savings Institution,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Robertson, Somers, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The re-engrossed bill entitled,

A further supplement to the act entitled "An act to incorporate the Sussex and Warren Railroad Company," approved February twenty-first, eighteen hundred and fifty-one;

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres), Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Martin, Robertson, Somers, Swain—13.

NAYS—None.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made thereto in the House of Assembly, and has ordered said bill to be re-engrossed, and has passed the same.

The bill entitled,

An act to incorporate the Lime and Cement Company, of the township of Elizabeth;

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill from the House of Assembly, entitled

A supplement to the act entitled 'An act to incorporate the Raritan and Delaware Bay Railroad Company;

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill from the House of Assembly entitled

A supplement to the act entitled "An act to incorporate the Hudson County Mutual Insurance Company," passed February eleventh, eighteen hundred and forty-two;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Northern Railroad Company, of New Jersey;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the Rockaway Manufacturing Company;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. I. Bonnell moved that the Senate now adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing thereto, were as follows—

Ayes—Messrs. I. Bonnell, Bramhall, Depew, Hoxsey, Somers—5.

Nays—Messrs. Alexander, (Pres.) Allen, Chetwood, Cowperthwaite, Franklin, Martin, Robertson, Stults, Swain—9.

So said motion

Was not agreed to.

The bill from the House of Assembly entitled,

An act to incorporate the Fairmount Cemetery Association, of the City of Newark;

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

Mr. Stults gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to charter the Bank of New Jersey.

On motion of Mr. Swain,

The Senate then adjourned.

MONDAY, February 5, 1855.

At 3 o'clock the Senate met.

Under the direction of the President, the Secretary proceeded to call the Senate, when the following named Senators answered the call—

Messrs. Alexander, (Pres.) A. V. Bonnell, Franklin, Rea, Somers, Smith, Stults, Swain—8.

There being no quorum present,

On motion of Mr. Swain,

The Senate then adjourned.

TUESDAY, February 6, 1855.

At ten o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Van Doren.

The journal of Friday and yesterday was read and approved.

Mr. Rea presented a remonstrance from Davis and Johnson, and others, citizens of the City of Newark, in the county of Essex, against authorizing any more bridges to be erected over the Passaic river,

Which was read and ordered to lie on the table.

Mr. Hoxsey presented a remonstrance signed by one hundred and thirty-five citizens of the Fifth Ward of the city of Newark, in the county of Essex, upon the same subject,

Which was ordered to lie on the table, without reading.

Mr. Martin presented a remonstrance from T. V. Johnson, and others, citizens of the city of Newark, in the county of Essex, upon the same subject,

Which was ordered to lie on the table, without reading.

The same Senator presented a remonstrance from William Reynolds, and others, citizens of the city of Newark, in the county of Essex, upon the same subject,

Which was ordered to lie on the table, without reading.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to authorize the sale of perishable property transported on canals and railways, in certain cases,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. A. V. Bonnell, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Lambertville Water Company.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. A. V. Bonnell gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A supplement to an act entitled "An act to incorporate the Lambertville and Delaware Bridge Company," passed February twelfth, eighteen hundred and thirty six.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have presented to the Governor for his approval

Senate bill No. 2, being

"An act to incorporate the Bordentown Reservoir and Water Company;"

Also,

Senate bill No. 6, being

An act to authorize the construction of a draw or swing bridge over the Elizabethtown Creek;

Also,

Senate bill No. 9, being

An act to incorporate the Stockton Land Association;

Also,

Senate bill No. 11, being

A supplement to an act entitled, "An act to authorize the trustees of the Woodbury Methodist Episcopal Church, to sell a part of their Church lot," approved March second, eighteen hundred and fifty-four.

DANIEL D. DEPEW,

Ch'm of said Committee.

February 2, 1855.

Mr. Howell gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Bridgeton and Marlton Turnpike Company.

The bill entitled,

An act for the preservation of fish in Manasquan River, in the counties of Monmouth and Ocean;

Was taken up, read a second time, considered by sections and agreed to, and ordered to be engrossed, and have a third reading.

The bill entitled,

An act to incorporate the Burlington county Iron Manufacturing Company,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed, and have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 2, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly have passed

The bill entitled,

"An act to incorporate the Union Manufacturing Company of Gloucester City, Camden county;"

Also,

The bill entitled,

An act to incorporate the Atlantic Ice Company;

Also,

The bill entitled,

An act to authorize the construction of a draw or swing bridge over Mullica River;

Also,

The bill entitled,

A supplement to an act entitled "An act to incorporate the Freehold and Howell Plank Road Company," approved March first, eighteen hundred and fifty-three;

Also,

The bill entitled,

"An act for the relief of Margaret Swackhammer, of Washington, in the county of Morris,

Also,

The Joint Resolution, entitled

Joint Resolution relative to the endorsement of the bonds of certain railroad companies, by the Joint Companies,"

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has passed

The bill from the Senate entitled,

An act to authorize William Baily, Sr., to sell certain real estate, late of Jedediah Elwell, deceased;

Also,

The bill entitled,

"An act to re-organize the Courts of Law,"

Without amendment.

Also,

That they have passed

The bill from the Senate entitled,

An act to incorporate the Morristown Gas Light Company;

Also,

The bill entitled,

A supplement to an act entitled "An act to incorporate the Bergen Railroad Company;

Also,

The bill entitled,

"An act to incorporate the Hackettstown Mining and Manufacturing Company,"

With amendments,

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill entitled,

An act to authorize William Bailey, Sr., to sell certain real estate, late of Jedediah Elwell, deceased;

Also,

The bill entitled,

An act to re-organize the Courts of Law;

Also,

The bill entitled,

A further supplement to the act entitled "An act to incorporate the Sussex and Warren Railroad Company," approved February twenty-first, eighteen hundred and fifty-one;

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,

Secretary of Senate.

The bill from the House of Assembly, entitled

A further supplement to an act entitled "An act to incorporate the Moorestown and Camden Turnpike Compay," approved February twenty-eight, eighteen hundred and forty-nine,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

"An act to incorporate the Port Monmouth Transportation Company,"

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the Union Manufacturing Company, of Gloucester City, Camden county,

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

An act to incorporate the Atlantic City Ice Company,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The bill from the House of Assembly, entitled

An act to authorize the erection of a draw or swing bridge over Mullica river,

Was taken up, read the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly entitled,

A supplement to an act entitled "An act to incorporate the Freehold and Howell Plank Road Company," approved March first, eighteen hundred and fifty-three,

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act for the relief of Margaret Swackhammer, of Washington, in the county of Morris,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Claims and Pensions.

The Joint Resolution from the House of Assembly, entitled,

Joint resolution relative to the endorsement of the bonds of certain railroad companies, by the Joint Companies,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill entitled,

An act to incorporate the Hackettstown Mining and Manufacturing Company,
And the amendments made thereto in the House of Assembly

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

An act to incorporate the Morristown Gas Light Company,
And the amendments made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

Supplement to an act entitled "An act to incorporate the Bergen County Railroad Company,
And the amendments made thereto in the House of Assembly,

Was taken up, and the amendments read and disagreed to.

Ordered, That the Secretary inform the House of Assembly that the Senate has disagreed to the amendments made by the House of Assembly to said bill.

The bill from the House of Assembly, entitled

An act to incorporate the "Port Monmouth Association for building on and improving certain lands located at Port Monmouth;"

Was taken up, read a second time, and the first six sections considered and agreed to.

The seventh section was then taken up and read.

Mr. Hoxsey moved to strike out said section.

Mr. Laird moved that the further consideration of the bill be postponed for the present.

Which motion was agreed to, and the bill postponed accordingly.

The bill from the House of Assembly, entitled

An act to incorporate the Dover Mining and Manufacturing Company;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

An act to confirm and amend the charter of "The Gloucester Savings Fund and Building Association;"

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

A message was received from His Excellency, the Governor, by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, February 6, 1855.

Mr. President:

I have this day approved and signed the following bills, which originated in your House:

"A supplement to an act entitled 'An act to authorize the Trustees of the Woodbury Methodist Episcopal Church, to sell a part of their Church lot,'" approved March second, eighteen hundred and fifty-four;"

An act to incorporate the Bordentown Reservoir and Water Company:

An act to authorize the construction of a draw or swing bridge over the Elizabethtown Creek;

"An act to incorporate the Stockton Land Association;"

RODMAN M. PRICE.

The bill from the House of Assembly entitled,

An act to incorporate the New Jersey Express Company,

Was taken up, read a second time, and pending the consideration of the first section thereof,

On motion of Mr. Allen,

The further consideration of said bill was postponed for the present.

The bill from the House of Assembly entitled

An act to incorporate the Raritan Bay and Bergen Iron Works Railroad Company,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

Mr. Laird, chairman of the committee on Corporations, presented the Opinion of the Attorney General of the State, in relation to an application by the "Newark Plank Road and Ferry Company," for authority to erect a draw-bridge over the river Passaic, about three miles below the city of Newark, as follows :

OPINION OF THE ATTORNEY GENERAL.

An application has been made to the legislature at its present session by the "Newark Plank Road and Ferry Company," for authority to erect a drawbridge over the river Passaic, at a point about three miles below the city of Newark, where their passengers are now carried across by a steam ferry boat. My opinion is desired by the senate committee on corporations, upon the legal questions that arise in this controversy.

It is conceded that the city of Newark is a port of entry, that a custom house is established there, and that a large domestic trade and foreign commerce is carried on at Newark, upon the waters of the Passaic river, which is a navigable stream from the sea to and beyond the city of Newark; this trade and commerce is said to be large and increasing; many steamboats and a large number of sailing vessels are constantly employed in transporting passengers and merchandise to and from Newark and New York, as well as other states; large docks are erected above the site of the proposed bridge, and many valuable wharves are owned, where a large amount of capital is invested and now profitably employed. It is alleged by the opponents of this application, that the erection of this bridge is not demanded by *public necessity*; that it will seriously injure the commerce of the city of Newark; will greatly obstruct the navigation, and impair the free use of a public tidewater navigable river, and lessen if not destroy the business and trade of a large number of the citizens of the city of Newark and of other states, who are accustomed to have, and of right ought to have and enjoy, the free and unobstructed use of the navigation of the Passaic river. In applying the principles of law which I think fairly belong to the case, I take for granted the foregoing statement as true in point of fact.

After the most careful examination of the whole case, I am of opinion that the legislature ought not to grant the application, unless they can be clearly satisfied that the *public necessity* for this bridge is greater than the injury that will be done by its erection, to the commerce and business interests of the city of Newark by such an obstruction to the navigation of the Passaic river.

The constitution of the United States confers on the general government the authority to regulate commerce between the states and other countries, and this cannot be effectually accomplished unless it may also keep free and unobstructed the navigable streams leading from the sea to ports of entry, on which such commerce is carried, and it is well settled that "when the exercise of the several powers of a state and the general government come in conflict, those of the state must necessarily yield to the superior or controlling power."

The river Passaic is a navigable tidewater stream leading to a port of entry. The commercial power of the general government has been exercised over it, and any law of the state for the erection of a bridge that obstructs the free navigation of the river, conflicts with the paramount power of congress, and

could only be justified on the ground of clear and paramount public necessity; while the abstract right of the legislature of a sovereign state to authorize the erection of bridges over navigable streams, (when it does not conflict with any action of the general government,) is fully admitted, yet it will be found that the right of navigation has always been strictly guarded and secured.

In the state of Virginia, when the act was passed for the erection of the "Wheeling Bridge," which has since been the subject of protracted and important litigation, the legislature of that state embodied in the original act, and afterwards in a supplemental law, this important provision, "that if the said bridge shall be so constructed as to *injure the navigation* of the Ohio river, the said bridge shall be treated *as a public nuisance*, and such obstruction shall be immediately removed; and yet the bridge then authorised was claimed to be of great public necessity—its peculiar location, in connection with a vast system of railroad communication partly finished, and thereafter to be greatly extended, seemed to place its erection upon the strong ground of public necessity, thus claimed for it, and yet with a full knowledge of all these facts, the legislature of Virginia declared the free navigation of the Ohio river to be paramount and controlling, thus in effect adopting the principle laid down by Justice M'Lean, that "an obstructed navigation cannot be free."

Chancellor Kent says "all erections and impediments made by the owners to the obstruction of the free use of the river as a highway for boats and rafts are deemed nuisances." 3 Kent Com. 411.

In a recent case before Justice Grier, Devoe et. al. vs. The Penrose Ferry Company, are many points strongly analagous to the present application—the legislature of Pennsyivania had passed a law, for the erection of a bridge by the above company, over the river Schuylkill, at a point about six miles below the city of Philadelphia, which is a port of entry, and having a large foreign and domestic trade carried on upon the Schuylkill river: it was to have a pivot draw in the centre of the channel, leaving an opening on each side of it of sixty feet, It was alleged that steamboats, steamtugs with coal barges, sailing vessels of all descriptions, were constantly passing up and down that river; and that the passage through these openings could not be accomplished, without danger, difficulty and delay. So far the two cases are almost identical; and in the case referred to Justice Grier sustained the application

made to him for an injunction against the Ferry Company, to prevent the erection of this bridge under the authority of the act of the legislature of Pennsylvania.

In delivering the opinion Justice Grier lays down the following principles of law: "the proposed bridge, if erected, will greatly injure the commerce passing from and to other states along the river Schuylkill to Philadelphia, and there is no *public necessity* for a bridge at that place, which can justify the sacrifice of other and superior interestr to so great an extent."

And again, "if the quantity of travel is not sufficient to support a steam ferry, it is conclusive evidence that there is no *public necessity* for the erection of a bridge which will *tax commerce to such an extent*; the benefits will not counterbalance the evils which will be caused by it."

It may be said that the opinion of Justice Grier proves too much, and if carried to the full extent would altogether preclude the erection of any bridge over a navigable stream, as all bridges must obstruct navigation to some extent: or it may be contended that it may depend after all upon a question of fact, whether really the injury to commerce be greater than the benefits to be derived by the travelling public. Without therefore, expressing a decided assent to the whole doctrine of that case, I think there is enough in it to raise a serious doubt of the right of the legislature to grant the present application. But there is another important objection raised by the opponents of this bill.

On the twenty-fourth of November, 1790, the legislature of this state passed 'An act for building bridges over the Passaic and Hackensack rivers," and for other purposes therein mentioned.

By the fifteenth section of this act, it is declared *"that it shall not be lawful for any person or persons whatsoever, to erect or cause to be erected, any other bridge or bridges over or across the said river Passaic, at any place or places between the mouth of the said Passaic river where the brook, commonly called 'Second River,' now empties itself into the said river Passaic."*

The site of the proposed bridge is within the above limits, and the question is distinctly presented *whether the exclusive privilege granted in the fifteenth section is valid, and prevents the legislature from authorizing the building of any bridge over the Passaic river within the above limits, without the assent of the proprietors of the bridges or their leases?*

In looking carefully into the action of the legislature since

passage of the act of seventeen hundred and ninety, I can find no proceeding which questions the full power of the legislature to confer the *exclusive privilege*, or which denies the binding force of said act; but I do find an express recognition of this right in several acts of this legislature, where by express words these exclusive privileges are recognized as valid.

In an act of the legislature (passed long after the act of seventeen hundred and ninety) for a road and ferry, it is in the fourteenth section enacted "that the said corporation shall not during the continuance of an act for building bridges over the rivers Passaic and Hackensack, and for other purposes, &c., passed November 24, 1790, erect or build any bridge or bridges over the Passaic or Hackensack, or either of them."

So in the act incorporating the New Jersey railroad and Transportation Company, it is expressly declared in the tenth section "that nothing in the act contained shall be so construed as to impair any reversionary interest or *vested rights* which the state or any incorporated company or companies, or any individual, may possess in virtue of an act entitled 'An act for building bridges over the rivers Passaic and Hackensack,'" &c.

So in the act incorporating the "Newark Plank Road and Ferry Company," the present applicants, there is contained a prohibition in the nineteen section against any further bridge over the Passaic and Hackensack rivers, and a clause against impairing any reversionary interest or vested rights. In a supplement to the Newark Plank Road and Ferry Company's bill, passed in eighteen hundred and fifty-two, it is provided in the fourth section in relation to a bridge over the Hackensack river, "that it shall not be lawful to erect the bridge mentioned in the supplemental act until the consent thereto in writing of the 'Proprietors of the bridges over the rivers Passaic and Hackensack under the common seal, shall be filed with the secretary of state, and that the giving of such consent shall not (except as to the said bridge so consented to) be construed, held or deemed in any manner to impair any rights of privileges of the proprietors under the act of seventeen hundred and ninety."

Again, in the "Act to incorporate the Newark and Bloomfield Railroad Company," in the third section *all vested rights are reserved* unimpaired by the act authorising the building or a bridge, and the bridge is not to be built until the consent of the proprietors of bridges over the Passaic and Hackensack is first had, as is provided for in the charter of the Newark Plank Road and Ferry Company.

Also in the charter of the Belleville Railroad Company, these vested rights are expressly reserved, and the bridge therein authorized is not to be built until the consent of the proprietors is first had. Other cases might be added to show the entire consistency of legislative action on this subject, but the above, it seems to me, are entirely sufficient to prove that so far as as the legislature of this State is concerned, they have uniformly acknowledged the validity and sustained the exclusive privileges contained in the act above referred to.

It would seem to me, then, to be clear that the legislature by the act of seventeen hundred and ninety, did confer upon the proprietors the exclusive right to build bridges over the rivers Passaic and Hackensack: that this formed a solemn contract between the state and the persons to whom this grant was made, and that the good faith of the state is pledged to sustain the proprietors of the bridges and their lessees, in all their right under said contract, and that the legislature cannot pass the bill now before them for the erection of a bridge over the Passaic without a direct breach of faith and an invasion of the vested rights created by their act of seventeen hundred and ninety.

In addition to the action of the legislature, I find that a number of the most able counsellors of New Jersey, as well as those of a sister state, have concurred in declaring that the grant of the exclusive privileges conferred by the act of seventeen hundred and ninety, is a valid grant, and that the vested rights under it should be held sacred as a solemn contract, to which the faith of the state is pledged.

The late Chief Justice Hornblower, whose legal opinions will always command respect, in an opinion given in eighteen hundred and fifty says: "It seems to be *unquestionable*, that the original leesees of the Passaic and Hackensack bridges were entitled to the benefit of the prohibition contained in the act of seventeen hundred and ninety."

The present Chancellor Williamson, (while at the bar) gave an opinion in which he says "the prohibition contained in the fifteenth section of the act of seventeen hundred and ninety, was for the benefit of those who should erect the bridges under and by virtue of the act of seventeen hundred and ninety; and again he says "the facts referred to, the opinions of eminent lawyers, some of them employed by interested parties, adverse to the right claimed, all concurring that the original lessees were entitled to the benefits of the prohibition of the fifteenth section of the act of seventeen hundred and ninety,

the constructions put upon the act by the principal contracting party, the state herself, in solemn acts of her legislature, and at a time when the public mind was agitated upon the subject of vested rights, and exclusive privileges claimed by corporations, ought to be conclusive as an answer to the position, which as a last resort, is advanced to induce the state to dishonor herself by violation of her solemn engagements."

The Hon. W. L. Dayton, in an opinion given in eighteen hundred and fifty-three, says "that the legislature had the power to pass such a law, and that having been acted upon, and the consideration paid by the erection of said bridges, it has become binding upon the state as a contract, cannot at this day be disputed; the existence of this exclusive right has, moreover, been repeatedly recognized by legislative action since its creation." And again he uses this emphatic language: "Any legislative act which should interfere with the exclusive right to build bridges between the points designated, would, in my judgment, be unconstitutional and void."

Asa Whitehead, Esq., in an opinion given in eighteen hundred and fifty-three, says: "I hold that any act of the legislature changing the law upon the subject matter of the lease or agreement, to the prejudice of the proprietors of the bridges, is a law impairing the obligation of contracts, and consequently void." "I do not suppose the power of the legislature to pass the law will be questioned; adjudicated cases are numerous upon the subject, and have been uniform in affirming the existence of the power, and upholding the rights of the parties derived from its existence; the arrangement between the state and the bridge proprietors is undoubtedly a contract, and subject to the provisions of the constitution of the United States."

The late Governor Williamson and Gen. Wall, whose acknowledged ability and learning are amongst the brightest and best reminiscencies of the history of our state, in an opinion that they gave, say: "But it cannot be deemed necessary to refer to instances in other states of the existence of this power, when the statute book of our own state furnishes us with so many instances, the validity of which has never been questioned—in the acts authorizing the erection of the bridges over the Passaic and Hackensack rivers," and other acts cited by them.

So in an opinion given by Messrs. George Wood, David B. Ogden and Ogden Hoffman, amongst the most able and accomplished jurists of the Empire State, it is said, "the proprie-

tors of the bridges over the rivers Passaic and Hackensack obtained from the legislature at a very early period, a restraint upon the erection of other bridges within certain distances, which the government have always respected as well from a due regard to public faith as to the limitation imposed upon them by the Federal Constitution."

Such, then, for a period of more than half a century, has been the uniform action of the legislature in acknowledgment of these "vested rights"—such the recognition of them by our supreme court, and such the united opinions of some of the ablest legal minds of this country. Those who controlled the government of our state, in that early period of her history, were satisfied that such a law as that of 1790 was proper and just. It is still a law of the state, neither modified or repealed; it is her solemn contract, and as binding now as when it was made, her honor and her faith are pledged to its maintenance, and they have never yet been pledged in vain. While this exciting question of "exclusive privileges" and "monopoly rights" may alike provoke discussion and encounter opposition, and citizens of other states, foreigners alike to her soil, her interests, and her fame, may ridicule and reproach her, it should be the proud effort of her own true hearted sons to sustain and defend her plighted faith from all assaults without or within her borders, and with manly pride in all future time be able to say that no single act of dishonor had ever sullied her fame, or given point to the satire of her foes.

Upon the most careful consideration of the whole case, and fully aware of the magnitude of the interest felt on both sides of the controversy, I am of opinion that the act of 1790 which conferred the exclusive privileges is a valid and subsisting law; that it creates a contract between the state and the proprietors of bridges over the Passaic and Hackensack and their lessees, and that unless their consent be first obtained, any legislative act impairing the obligation of that contract would be unconstitutional and void.

R. P. THOMPSON,
Att'y Gen'l.

Trenton, Feb. 5, 1855.

Which was ordered to lie on the table.

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A further supplement to the act entitled "An act to incorporate the Morris and Essex Railroad Company," passed the the twenty-ninth day of January, one thousand eight hundred and thirty-five,

Also,

The bill entitled,

An act to establish a State Normal School;

Also,

The bill entitled,

An act to incorporate the Hackettstown Bank, of the county of Warren, at Hackettstown;

Also,

The bill entitled,

An act to incorporate the Bordentown Banking Company;

Also,

The bill entitled,

An act to authorize the inhabitants of the township of Bernards, in the county of Somerset, to vote by ballot at their town-meetings:

Also,

The bill entitled,

An act to incorporate the Central Bank of New Jersey:

Also,

The bill entitled,

A supplement to an act entitled "An act to incorporate the

Burlington Gas Light Company," approved March tenth, eighteen hundred and fifty-two:

Also,

The bill entitled,

An act to incorporate the Passaic Paint Company:

Also,

The amendments made by the Senate to the bills from the House of Assembly, severally entitled,

A supplement to the act entitled 'An act to incorporate the Raritan and Delaware Bay Railroad Company;

And,

An act to incorporate the Weymouth Farm and Agricultural Company,

And find the same to be correctly engrossed.

On motion of Mr. Laird,

The Senate then adjourned.

At 3 o'clock the Senate met.

Under the direction of the President, the Secretary proceeded to call the Senate, when the following named Senators answered the call—

Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Depew, Howell, Laird, Martin—8.

There being no quorum present,

On motion of Mr. Allen,

The Sergeant-at-arms, and his assistants, were despatched for the absentees.

After a short absence, a quorum appearing, the Senate proceeded to business.

Mr. Laird presented a petition from the New Jersey Railroad and Transportation Company, in favor of a law authorizing the construction of a bridge, by said Company, on a continuous line across the Passaic river, from Market street to the intersection with the junction railroad of the Morris and Essex and New Jersey Railroad, at East Newark, on the location originally fixed by said company, according to the survey and field books filed by them in the office of the Secretary of State,

Which was referred to the Committee on Corporations, without reading.

The same Senator from the Committee on Corporations, to which was referred

The bill from the House of Assembly, entitled

An act to incorporate the Union Manufacturing Company, of Gloucester City, Camden county,

Also,

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Freehold and Howell Plank Road Company," approved March first, eighteen hundred and fifty-three;

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Atlantic City Ice Company,

Also,

The bill entitled,

An act to incorporate the Lambertville Water Company,

Reported the same, severally,
Without amendment.

The same Senator from the same Committee, to which was referred

The bill entitled,

A supplement to an act entitled "An act to incorporate the Elizabethtown Savings Institution," approved March first, eighteen hundred and fifty:

Also,

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Trenton Saving Fund Society," passed the seventh day of March, eighteen hundred and forty-four,

Reported the same,
With amendments.

The engrossed bill entitled,

An act to authorize the inhabitants of the township of Bernards, in the county of Somerset, and the inhabitants of the township of West Milford, in the county of Passaic, to vote by ballot at their town-meetings,

Was taken up, and read a third time.

Mr. Martin presented two petitions from citizens of the township of Bernards, in the county of Somerset, in favor of the passage of said bill.

Which was read and laid on the table.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres), Allen, A. V. Bonnell, Bramhall, Cowperthwaite, Depew, Howell, Laird, Martin, Rea, Robertson, Smith, Stults, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

Supplement to an act entitled "An act to incorporate the Burlington Gas-Light Company," approved the tenth of March, one thousand eight hundred and fifty-two,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Cowperthwaite, Depew, Howell, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly entitled,

An act to incorporate the Weymouth Farm and Agricultural Company,

And the amendments made thereto in the Senate,

Was taken up, and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Cowperthwaite, Franklin, Howell, Laird, Martin, Somers, Smith, Stults, Swain—12.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 6, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly have passed

The bills severally entitled,

"An act to incorporate the Raritan Marine Insurance Company;

A further supplement to the act entitled "An act to incorporate the Florence and Freehold Plank Road or Turnpike Company," approved February nineteenth, eighteen hundred and fifty-two, a supplement, approved February twenty-fourth, eighteen hundred and fifty-three;

An act to incorporate the Trustees of Camden Cemetery;

An act to incorporate the Bergen Land Improvement Company;

"A further supplement to the act entitled "An act to incorporate the town of Lambertville, in the township of West Amwell, and county of Hunterdon;

An act to authorize the inhabitants of the townships of Millville and Maurice River, in the county of Cumberland, to vote by ballot at their town meetings.

In which the concurrence of the Senate is requested

Also,

That the House of Assembly has passed

The bill from the Senate entitled,

An act increasing and defining the powers of the Rifton Manufacturing Company, in certain particulars,

Without amendment.

Also,

That they have passed

The bills from the Senate severally entitled,

A further supplement to the act entitled "An act to incorporate the Paterson and New York Plank Road Company," approved March eighteen hundred and fifty-two;

An act to incorporate the Indigent Widow's and Single Women's Home Society, of the city of Trenton;

An act to incorporate the Passaic Quarry Company.

With amendments,

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill entitled

An act increasing and defining the powers of the Rifton Manufacturing Company, in certain particulars,

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon :

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The bill from the House of Assembly entitled,

A supplement to the act entitled "An act to incorporate the Raritan and Delaware Bay Railroad Company,
And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative as follows :

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Laird, Martin, Robertson, Somers, Smith, Stults, Swain—14.

NAYS—Mr. Hoxsey—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly, entitled

A supplement to the act entitled "An act to incorporate the Hudson County Mutual Insurance Company," passed February eleventh, eighteen hundred and forty-two ;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass ?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly entitled

A supplement to an act entitled "An act to incorporate the Northern Railroad Company, of New Jersey;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass ?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnel, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain —17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly without amendment.

The bill from the House of Assembly entitled,

An act to incorporate the Rockaway Manufacturing Company;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—15.

NAYS—Messrs. Alexander, (Pres.) Depew—2.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

An act to establish a State Normal School,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres) A. V. Bonnell, Bramhall, Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Rea, Robertson, Somers, Smith, Swain—13.

NAYS—Messrs. Allen, Depew, Laird, Roberts, Stults—5.

Ordered, That the President sign said bill, the Secretary carit to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. A. V. Bonnell gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A supplement to the Militia Law.

Mr. Bramhall gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A supplement to the act entitled "An act for the relief of the State of New Jersey, in relation to the estate of John G. Leake, deceased," passed March fifteenth, eighteen hundred and thirty-seven.

The bill from the House of Assembly, entitled

An act to authorize the inhabitants of Millville and Maurice River, in the county of Cumberland, to vote by ballot at their town-meetings,

Was taken up, read the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly entitled,

"A further supplement to the act entitled "An act to incorporate the town of Lambertville, in the township of West Amwell, and county of Hunterdon ;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Municipal Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Bergen Land Improvement Company ;

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

A further supplement to the act entitled "An act to incorporate the Florence and Freehold Plank Road or Turnpike Company," approved February nineteenth, eighteen hundred and fifty-two, a supplement, approved February twenty-fourth, eighteen hundred and fifty-three ;

Was taken up, read a first time by its title, ordered to have a

second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Trustees of Camden Cemetery ;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The bill from the House of Assembly entitled,

"An act to incorporate the Raritan Marine Insurance Company ;

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill entitled,

A further supplement to the act entitled "An act to incorporate the Paterson and New York Plank Road Company," approved March eighteen hundred and fifty-one ;

And the amendments made thereto in the House of Assembly

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

An act to incorporate the Indigent Widow's and Single Women's Home Society, of the city of Trenton ;

And the amendments made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

An act to incorporate the Passaic Quarry Company,

And the amendments made thereto in the House of Assembly,

Was taken up, and the amendments read and concurred in and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

An act to authorize the sale of certain real estate in the county of Warren, whereof Abraham Arndt, died seized,

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Trenton Saving Fund Society," passed the seventh day of March, eighteen hundred and forty-four,

Was taken up, and the amendments made thereto, by the Committee on Corporations, to which it was re-committed, read, considered, and agreed to, the amendments ordered to be engrossed, and the bill to have a third reading.

The bill from the House of Assembly entitled

An act to incorporate the Farmers and Oysterman's Independent Steamboat Association;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the New Jersey Express Company,

Which was postponed this morning, pending the consideration of the first section thereof,

Was taken up,, the first and remaining sections considered and agreed to, and the bill ordered to have a third reading.

The bill from the House of Assembly, entitled,

An act to incorporate the Camden Market Company,

Was taken up, read a second time, considered by sections, amended and agreed to, the amendments ordered to be engrossed, and the bill to have a third reading.

Mr. Smith gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Salem Creek Consolidated Meadow Company.

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The amendments made in the Senate to

The bill from the House of Assembly, entitled

An act to incorporate the Raritan Bay and Bergen Iron Works Railroad Company,

And find the same to be correctly engrossed.

On motion of Mr. Hoxsey,

The Senate then adjourned.

WEDNESDAY, February 7, 1855.

At ten o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Brown.

The journal of the previous day was read and approved.

Mr. Laird from the Committee on Corporations to which was referred the petition of the New Jersey Railroad and Transportation Company, relative to the building of a bridge over the Passaic River at Newark, reported

A bill entitled,

A further supplement to an act entitled "An act to incorporate the New Jersey Railroad and Transportation Company," passed the seventh day of March, one thousand eight hundred and thirty-two ;

Which was read for the first time by its title, and ordered to have a second reading.

The same Senator from the same Committee, to which was referred

The bill entitled,

A supplement to the act entitled "An act to incorporate the Warren Rail Road Company,"

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Raritan Marine Insurance Company;

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Bergen Land Improvement Company;

Also,

The bill from the House of Assembly, entitled

A further supplement to the act entitled "An act to incorporate the Florence and Freehold Plank or Turnpike Road Company," approved February nineteen, one thousand eight hundred and fifty-two, and a supplement thereto, approved February twenty-four, one thousand eight hundred and fifty-three;

Reported the same, severally,
Without amendments.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bills severally entitled,

An act relative to the quantity of land that may be held by certain railroad companies,

An act to incorporate the City Bank of Perth Amboy;

An act to incorporate the Philadelphia and Cape Island Telegraph Company;

And find the same to be correctly engrossed.

Mr. Somers, from the Committee on Militia, to which was referred
The bill entitled,

An act to authorize a change in the artillery carriages of the State Arsenal, and to attach percussion locks,

Reported the same,
Without amendment.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have presented to the Governor for his approval

The bills severally entitled,

A further supplement to the act entitled, "An act to incorporate the Sussex and Warren Railroad Company," approved February twenty-first, eighteen hundred and fifty-one;

An act to authorize William Bailey, Sr., to sell certain real estate, late of Jedediah Elwell, deceased;

An act to re-organize the Courts of Law;

An act increasing and defining the powers of the Rifton Manufacturing Company, in certain particulars,

DANIEL D. DEPEW,

Ch'm of said Committee.

February 7, 1855.

Mr. Roberts, from the Special Committee to which was referred so much of the Governor's Message as relates to the Naturalization Laws of the United States, and the manner of their execution by the federal and state courts, reported as follows:

The Special Committee to whom was referred so much of the Governor's Message as relates to the naturalization laws of the United States, and the manner of their execution by the federal and state courts, respectfully report:

That they have given the subject that anxious attention which its vital importance, as connected with the purity of the ballot box and the safety of our institutions, appears to demand.

The suggestions of the Governor may be naturally embraced under two heads, and will be best presented in the words of the Chief Magistrate, as extracted from his remarks: Firstly, he states that the non-enforcement of the intention and spirit of the law, has given rise to an abuse which demands a reme-

dy, and has aroused a feeling and spirit becoming to patriotic American citizens, which is sympathized in by both native and naturalized citizens: also, that "the law may not be so exceptionable in itself as the manner of its execution."

Your Committee do not feel called upon at this time and place, to go beyond the suggestions of the Governor, by discussing the question of the propriety of essential changes in the naturalization laws themselves, various, pressing, and conflicting as are the opinions of our constituency in this respect. Confining their attention, then, to the errors of execution alone, which are certainly serious and extensive, they are impressed with the belief that most, if not all, of these errors, have originated, and have been increased to an alarming extent, from the non-existence of any one clear and explicit statute for the regulation of the process of naturalization. The enactments of Congress in relation to this matter are very various, the requisites for citizenship having been repeatedly changed from an early period in the history of our national constitution; and the more recent statutes have by no means repeated all the provisions of preceding laws. The naturalization laws, then, are not uniform, but a collection of statutes, still in force. These are so widely scattered, and complicated with such numerous judicial decisions, as to be exceedingly perplexing; a learned jurist in a neighboring state, in a charge from the bench, quite recently, pronounced an opinion substantially asserting that the determination of the precise condition of these laws would require an amount of legal ability, and a devotion of time and study, which could not be reasonably expected of the judges of state and subordinate courts; and that any one who should perform the laborious task of reducing into the form of one clear statute all the law now actually in force in relation to the conferring of citizenship upon foreigners, would deserve well of his country. The law, as it actually exists, requires of the applicant for the right of citizenship, not only a continuous residence of a certain number of years, but also, certain definite proofs of the real intention of the applicant to become a citizen, during the whole of this prescribed period: and what is still more important, it demands other testimony than the mere oath of the applicant, to prove that his conduct has been morally and politically that of a good orderly resident from the time of his application. These requisitions rest wholly or in a great degree, upon unrepealed clauses of acts ante-dating the last statute of naturalization, and have been habitually overlooked, at least in the state courts, until they have been apparently forgotten

by those entrusted with the guardianship of the sacred right of American citizenship. Practically, the mere oath of an interested party to show the performance of a part, and that not the most important part of the legal requirements, is made sufficient to admit the stranger, honest or dishonet, orderly or criminal, to a full share of the birthright of the American.

The evidence demanded of the applicant, by the laws still in force, is of a nature to require *judicial* action, yet the accumulating abuses of years, and, perhaps, the difficulty of the study of the actual condition of the law, have caused the entire business of naturalization to be referred to the clerks of the several courts, by whom it has been exercised, for a long time, in a manner totally illegal, if the jurist already referred to be correct in his opinion.

The most effective check to these glaring evils lies beyond the constitutional power of a state legislature. In the opinion of your committee, this check would be effected by confining all jurisdiction on the subject of naturalization to the courts of the United States exclusively, but this remedy can only be applied by the national congress. In order to do all that can be effected by New Jersey towards so desirable a result, the committee recommend for your consideration the draft of a bill appended to this report.

But over the action of the state courts in the premises, the legislative authorities of New Jersey have at least some collateral and constitutional control, which will be more properly discussed in speaking of the second branch of the subject referred.

In the second place, the Governor says: A law prohibiting our courts from naturalizing for a period of time previous to state elections, would be attended with beneficial results, and add great purity to our ballot-box, which must be vigilantly guarded The facts by which the executive message supports this position, are too generally known and understood to require comment by the committee, and it remains for them only to submit the principles and the terms of a bill for effecting this recommendation.

The absolute right of a state to regulate the qualifications of its own voters, independently of the question of national citizenship has been unfortunately vested, and most unhappily, some of our sister states have extended the elective franchise to aliens; indeed, the authority which might be appealed to in the last resort to check this denationalizing license, has actually countenanced it, by permitting alien votes to be given in determining the

initial legislation of certain territories; but the constitution of New Jersey very properly confines the right of suffrage to citizens of the United States; and the authority of the legislature to regulate the exercise of the elective franchise within her borders, is absolute and undisputed, within the bounds of her own constitution and that of the United States; the latter imposes upon her no restraint, except in the clause which grants to citizens of any state, or the United States, equal privilege with the citizens of any other state: thus prohibiting the formation of distinct classes of citizens in any of our individual sovereignties. By this control over the elective franchise, your committee believe that the legislature can most effectively assist in remedying the evils to which allusion is made in the executive messages. To limit directly, by a state law, over the action of state courts upon the subject of naturalization, which lies wholly within the power of the national government might possibly involve questions of conflicting jurisdictions; nor with every disposition to preserve the sanctity of state rights, do your committee deem it necessary or practicably important that this direct action should be had. The right of the state government to determine the evidence of citizenship, to be demanded of all its voters alike, cannot be disputed; and in the draft of a bill appended to this report, they have embodied a provision, requiring that from and after the fourth of July, eighteen hundred and fifty-five, no judge of an election of this state shall acknowledge the right of any person to vote at any such election, under any certificate of naturalization of date anterior to that day, unless the same shall bear upon its face the legal proof of having emanated from judicial, and not from mere clerical authority, unless it be dated at least one year before the day of election, at which it is presented.—This provision will secure the ballot-box from contamination in consequence of any future illegal negligence, or clerical assumptions of the officers of the courts, except such as may have been heretofore committed. But though, no doubt, there are now living in New Jersey, thousands of voters, under naturalization papers which have been issued in ignorance, in defiance of existing laws, your committee confess, that they perceive, at present, no means of remedying the evil of former laxity of granting naturalization papers, without acting with unwarrantable severity towards our legal officers, and introducing confusion worse confounded into the execution of the law.

All which, with the accompanying bill, is respectfully submitted.

JOHN K. ROBERTS, } *Committee.*
A. V. BONNELL, }

Which report was read and ordered to be printed.

The bill accompanying said report,

Entitled,

Supplement to the act to regulate Elections, approved April sixteenth, eighteen hundred and forty-six,

Was then taken up, read for the first time by its title, and ordered to have a second reading.

Mr. A. V. Bonnell, from the Committee on Education, reported

A Joint Resolution entitled

Joint Resolution relative to the purchase of Webster's Dictionary for the use of Common Schools;

Which was read for the first time by its title, and ordered to have a second reading.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The Joint Resolution from the House of Assembly entitled

Joint Resolution relative to the endorsement of the bonds of certain railroad companies, by the Joint Companies;"

Also,

The bill from the House of Assembly entitled,

An act to authorize the erection of a draw or swing bridge over Mullica river;

Also,

The bill entitled,

An act to change the name of the Union Presbyterian Church of Georgetown and Lambertville, in the county of Hunterdon.

Reported the same,
Without amendment.

Also,

The bill entitled,

An act to authorize the sale of perishable property transported on canals and railways, in certain cases,

With amendment.

The President laid before the Senate a communication from the Secretary of State, transmitting the annual reports of the several Railroad and Canal Companies of the State,

Which communication was read, and

On motion of Mr. Allen,

The usual number of copies of said communication and accompanying documents ordered to be printed in pamphlet form for the use of the Senate.

(For communication and accompanying documents, see Appendix.)

On motion of Mr. Laird,

The opinion of the Attorney-General in relation to building bridges over the Passaic River, which was presented to the Senate on Monday last, and laid on the table,

Was taken up and read, and the same ordered to be printed under the direction of the Committee on Corporations, for the use of the Senate.

The engrossed bill entitled,

A further supplement to the act entitled "An act to incorporate the Morris and Essex Railroad Company," passed the

the twenty-ninth day of January, one thousand eight hundred and thirty-five,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act relative to the quantity of land that may be held by certain Railroad Companies,

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—Messrs. Cowperthwaite, Hoxsey—2.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Philadelphia and Cape Island Telegraph Company;

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Somers, Smith Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. A. V. Bonnell, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act further supplementary to an act entitled "An act establishing a Militia System," approved April seventeen, eighteen hundred and forty-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Militia.

The same Senator, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to an act entitled "An act to incorporate the Lambertville and Delaware Bridge Company," passed February twelfth, eighteen hundred and thirty-six.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Smith, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to provide means for the draining of meadows and low-lands, on Salem Creek, in the county of Salem,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Miscellaneous Business.

The bill from the House of Assembly entitled,

A further supplement to an act entitled "An act to incorporate the Moorestown and Camden Turnpike Company," approved February twenty-eight, eighteen hundred and forty-nine,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—*Messrs.* Alexander, (Pres.) Allen, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Roberts, Somers, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly, entitled

An act to confirm and amend the charter of "The Gloucester Savings Fund and Building Association;"

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly without amendment.

The bill from the House of Assembly entitled,

An act to incorporate the Farmers and Oysterman's Independent Steamboat Association:

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative as follows:

AYES—Messrs. Allen, Cowperthwaite, Franklin, Howell, Martin, Roberts, Somers, Stults—9.

NAYS——Messrs. Alexander, (Pres.) Bramhall, Depew, Laird, Hoxsey, Rea, Robertson, Swain—7.

Ordered, That the Secretary inform the House of Assembly that the Senate has disagreed to the same.

Mr. Allen moved a re-consideration of the vote by which

The bill entitled,

A supplement to an act entitled "An act to incorporate the Trenton Saving Fund Society," passed the seventh day of March, eighteen hundred and forty-four,

Was ordered to be engrossed and have a third reading.

Which was agreed to.

The same Senator then moved that the bill be re-committed to the Committee on Corporations.

Which was agreed to.

The bill entitled,

A further supplement to the act entitled, "An act to incorporate the city of Paterson," approved March nineteenth, eighteen hundred and fifty one,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed, and have a third reading.

The bill from the House of Assembly entitled,

An act to incorporate the Atlantic City Ice Company,

Was taken up, read a second time, considered by sections amended and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

A supplement to an act entitled "An act to incorporate the Freehold and Howell Plank Road Company," approved March first, eighteen hundred and fifty-three;

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

Mr. Swain moved to re-consider the vote by which

The bill from the House of Assembly entitled,

An act to incorporate the Farmer's and Oysterman's Independent Steamboat Association,

Was disagreed to its final passage.

Which motion was agreed to, and the vote re-considered accordingly.

The bill from the House of Assembly entitled,

An act to incorporate the Union Manufacturing Company, of Gloucester City, Camden county,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled

An act to incorporate the Evangelical Lutheran Churches in the state of New Jersey;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. Stults, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Bank of New Jersey;

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

Mr. Bramhall, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A further supplement to the act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, approved the twenty-fifth day of March, eighteen hundred and fifty-two;

Which was read for the first time by its title, and ordered to have a second reading, and referred to the committee on the Judiciary.

The same Senator, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to the act entitled "An act for the relief of the State of New Jersey, in relation to the estate of John G. Leake, deceased," passed March fifteenth, eighteen hundred and thirty-seven.

Which was read for the first time by its title, ordered to have

a second reading, and referred to the Committee on the Judiciary.

Mr. Stults moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A further supplement to the act entitled "an act authorizing the removal of certain mill dams from Rahway River and its branches, within the limits of the townships of Rahway and Woodbridge, in the counties of Essex and Middlesex," approved March third, eighteen hundred and fifty-four;

Which was read for the first time by its title, and ordered to nave a second reading, and referred to the Committee on Miscellaneous Business.

Mr. Bramhall moved a suspension of so much of the twenty-third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A supplement to the act entitled "an act to incorporate the Hoboken Land and Improvement Company, passed the twenty-first day of February, eighteen hundred and thirty-eight;

Which was read a first time by its title, ordered to have a

second reading, and referred to the Committee on Corporations.

On motion of Mr. Stults,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Franklin, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Gloucester County Bank, at Woodbury;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Laird moved that

The bill from the House of Assembly, entitled

An act to incorporate the Farmers and Oystermen's Independent Steamboat Association;

Be re-committed to the Committee on Corporations.

Which motion was agreed to, and said bill re-committed.

Mr. Allen gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Princeton Bank.

Mr. Somers, from the Committee on Claims and Pensions, to which was referred

The bill from the House of Assembly entitled

"An act for the relief of Margaret Swackhammer, of Washington, in the county of Morris";

Reported the same,
Without amendment.

Mr. Chetwood moved to re-consider the vote by which

The bill from the House of Assembly, entitled

An act to incorporate the New Jersey Express Company,

Was ordered to have a third reading, and that the same be re-committed to the Committee on Corporations.

Which motion was agreed to, and said bill re-committed.

The bill from the House of Assembly, entitled

An act to incorporate the Raritan Bay and Bergen Iron Works Railroad Company,

Was taken up and read a third time, and

On motion of Mr. Cowperthwaite,

Was postponed for the present.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 7, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly have passed

The bill entitled,

A further supplement to the act entitled "an act to establish and regulate Pilots for the ports of Jersey City and Perth Amboy, by way of Sandy Hook," approved February eighth, eighteen hundred and thirty-seven.

In which the concurrence of the Senate is requested.

Also,

That they have concurred in the amendments made in the Senate to

The bills severally entitled,

An act to incorporate the Weymouth Farm and Agricultural Company,

And,

A supplement to the act entitled 'An act to incorporate the Raritan and Delaware Bay Railroad Company;

And have caused the same to be re-engrossed, and passed the same.

Also,

That the House of Assembly has receded from the amendments made to

The bill from the Senate, and disagreed to by the Senate, entitled

A supplement to an act entitled "An act to incorporate the Bergen Railroad Company;

Also,

That they have passed

The bills from the Senate entitled,

An act to incorporate the New Jersey Ocean Steam Navigation Company,
With sundry amendments.

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill entitled,

An act relative to the office of Bank Superintendent,

Was taken up, and while the first section was under consideration,

Mr. Hoxsey moved to postpone the same until Tuesday morning next.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—12.

So said motion

Was not agreed to.

On motion of Mr. Hoxsey,

The further consideration of the bill was postponed until tomorrow morning.

The Joint Resolution from the House of Assembly entitled

Joint Resolution relauve to the endorsement of the bonds of certain railroad companies, by the Joint Companies ;"

Was taken up, read a first time by its title, ordered to have a third reading.

The bill from the House of Assembly, entitled,

"An act for the relief of Margaret Swackhammer, of Washington, in the county of Morris;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

"An act to revise, continue in force, and amend an act entitled 'An act to enable the owners and possessors of the meadows and marsh land adjoining the creek commonly called Crowkill, in the county of Hudson, to erect and maintain banks, dykes, dams, and water-works, sufficient to prevent the tide from overflowing the same,'" passed March eleventh, eighteen hundred and forty-two:

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the Fairmount Cemetery Association, of the City of Newark;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—15.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill entitled,

An act to incorporate the Lambertville Water Company,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

On motion of Mr. Allen,

The Senate then adjourned.

THURSDAY, February 8, 1855.

At ten o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Brown.

The journal of the previous day was read and approved.

Mr. A. V. Bonnell presented a remonstrance from John Coryell, and others, citizens of the town of Lambertville, in the county of Hunterdon, against the passage of the supplement to the charter of the town of Lambertville, now before the Legislature,

Which was read and referred to the committee on Municipal Corporations.

Mr. Franklin presented a petition from John G. Rosenbaum, and others, inhabitants of the Southern portion of New Jersey, asking the passage of a law establishing a bank, to be located at Woodbury,

Which was referred to the Committee on Corporations, without reading.

Mr. Roberts presented a petition from T. J. Fox Alden, a citizen of the State of Pennsylvania, representing that he has prepared with great care, an Analytical, Synoptical, and Alphabetical Index, to the reports and decisions of the Supreme Court of the United States, from the earliest period, down to the 1st of January, 1854; and praying the Legislature to grant such aid by Legislative subscription, as on inspection of the work it may be found worthy of,

Which was read and referred to the Committee on the Judiciary.

Mr. Chetwood presented a petition from John H. Rolston, and others, residents of the townships of Westfield, Plainfield, Union, New Providence, Elizabeth, Rahway, and Springfield, in the county of Essex, asking to be set off into a new county, to be called the county of Union,

Which was ordered to lie on the table without reading.

The same Senator presented a remonstrance from Amos T. Robertson, and others, in the township of Rahway, in the county of Essex, against the passage of the act entitled "An act to create the county of Union,"

Which was ordered to lie on the table, without reading.

The same Senator presented an affidavit from numerous ship-masters and pilots, in relation to the building of bridges over the Passaic river, representing that in their opinion, they obstruct navigation, and seriously affect the commercial prosperity of the surrounding country,

Which was read and ordered to lie on the table.

Mr. Smith presented a petition from John N. Cooper, and others, inhabitants and voters of the State, representing that they consider the law passed by the Legislature, giving to the Attorney-General a fixed salary of fifteen hundred dollars a year, an unnecessary burden upon the people of the State—that in their opinion the legal fees heretofore allowed that officer were amply sufficient to secure the services of a faithful and

competent person to discharge the duties connected with the office, and praying the immediate repeal of the said law.

Which was read and referred to the committee on the Judiciary.

Mr. Depew moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Lodi Manufacturing Company,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Rea gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to set off a new township from the upper part of Mansfield, in the county of Warren, New Jersey.

Mr. Smith gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A further supplement to the act entitled "An act to regulate Elections," passed March twelfth, one thousand eight hundred and thirty-nine.

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A supplement to an act entitled "An act respecting apprentices and servants," approved April tenth, eighteen hundred and forty-six,

Also,

The bill entitled,

An act to incorporate the Lime and Cement Company, of the township of Elizabeth;

Also,

The bill entitled,

An act to incorporate the Burlington County Iron Manufacturing Company,

And find the same to be correctly engrossed.

And,

That they have examined

The re-engrossed bill entitled,

A further supplement to the act entitled "An act to incorporate the Paterson and New York Plank Road Company," approved March eighteen, eighteen hundred and fifty-one;

Also,

The re-engrossed bill entitled,

An act to incorporate the Passaic Quarry Company;

Also,

The re-engrossed bill entitled,

An act to incorporate the Hackettstown Mining and Manufacturing Company,

And find the same to be severally, correctly re-engrossed.

Mr Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly entitled,

An act to incorporate the New Jersey Express Company,

Reported the same,
With amendments.

Mr. Somers, from the Committee on the Militia, to which was referred

The bill entitled,

An act supplementary to an act entitled "an act establishing a Militia system," approved April seventeenth, eighteen hundred and forty-six,

Reported the same,
Without amendment.

Mr. Rea, from the Committee on Municipal Corporations, to which was referred

The bill from the House of Assembly entitled,

"A further supplement to the act entitled "An act to incorporate the town of Lambertville, in the township of West Amwell, and county of Hunterdon";

Reported the same,
Without amendment.

Mr. Martin, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Somerset County Agricultural Society.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill from the House of Assembly entitled

An act to authorize the inhabitants of Millville and Maurice

River, in the county of Cumberland, to vote by ballot at their town-meetings,

Reported the same,
Without amendment.

The re-engrossed bill entitled,

An act to incorporate the Hackettstown Mining and Manufacturing Company,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—15.

NAYS—Messrs. Alexander, (Pres) Bramhall, Depew, Hoxsey,—4.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made thereto in the House of Assembly, and has ordered said bill to be re-engrossed, and has passed the same.

The engrossed bill entitled,

An act to incorporate the Bordentown Banking Company,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Robertson, Somers, Smith,—7.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill and request their concurrence.

The re-engrossed bill entitled,

An act to incorporate the Passaic Quarry Company,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Robertson, Smith, Somers, Stults, Swain—16.

NAYS—Messrs. Alexander, (Pres.), Roberts—2.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered the same to be re-engrossed, and has passed the same.

The engrossed bill entitled,

An act to incorporate the Central Bank of New Jersey,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers, Smith—7.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senthe has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Freehold Banking Company,

Was taken up and read a third time.

Mr. Laird presented a petition from Arthur V. Conover and others, citizens of Freehold, in the county of Monmouth, asking the passage of said bill.

Which was read, and ordered to lie on the table.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood Franklin, Howell, Laird, Rea, Roberts, Stults, Swain—11.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Cowperthwaite, Depew, Hoxsey, Martin, Robertson, Somers, Smith—9.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 8, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly have passed

The bill from the Senate entitled,

An act to establish a State Normal School,

Also,

The bill entitled,

A supplement to the act entitled "an act to renew and re-

establish an act to incorporate the Passaic Water Company," approved February thirteenth, eighteen hundred and forty-nine, and supplementalal thereto, approved February ninth, eighteen hundred and fifty-four ;

Also,

The bill entitled,

An act to confirm certain conveyances of lands lying in the township of Freehold in the county of Monmouth.

Also,

The bill entitled,

An act to authorize a subscription on the part of the state to a new edition of Elmer's digest of the laws.

Also,

The bill entitled,

A supplement to the act entitled "an act to secure to creditors an equal and just division of she estate of debtors, who convey to assignees for the benefit of creditors."

Also,

The bill entitled,

A further supplement to an act entitled "an act for the more easy partition of lands held by co-parceners, joint tenants, and tenants in common," approved April sixteenth, eighteen hundred and forty six.

Without amendment.

Also,

That they have passed

The bill from the Senate entitled,

An act to incorporate the Bordentown Savings Institution,

With amendments,

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill entitled,

An act to establish a State Normal School;

Also,

The bill entitled,

A supplement to the act entitled an act to re-new and re-establish "An act entitled an act to incorporate the Passaic Water Company," approved February thirteenth, eighteen hundred and forty-nine, and supplemental thereto, approved February ninth, eighteen hundred and fifty-four;

Also,

The bill entitled,

An act to confirm certain conveyances of lands lying in the township of Freehold, in the county of Monmouth;

Also,

The bill entitled,

An act to authorize a subscription on the part of the State to a new edition of Elmer's Digest of the Laws;

Also,

The bill entitled,

A supplement to an act entitled "An act to secure to creditors an equal and just division of the estate of debtors, who convey to assignees for the benefit of creditors:

Also,

The bill entitled,

A further supplement to an act entitled "An act for the more easy partition of lands held by co-parceners, joint tenants in common," approved April sixteenth, eighteen hundred and forty-six,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on

Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each :

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The engrossed bill entitled,

An act to incorporate the Hackettstown Bank, of the county of Warren, at Hacketstown ;

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Rea, Roberts, Stults, Swain —11.

NAYS—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Laird, Martin, Robertson, Somers, Smith—9.

On motion of Mr. I. Bonnell,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Smith from the majority of the special committee to which was referred so much of the Governors' Message, as relates to the Census,

Reported by bill, entitled

An act in relation to the Census or enumeration of the inhabitants of this State,

Which was read for the first time by its title, and ordered to have a second reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

A supplement to the act entitled "an act to incorporate the Hoboken Land and Improvement Company, passed the twenty-first day of February, eighteen hundred and thirty-eight;

Reported the same,
Without amendment.

Mr. Depew from the Committee on Miscellaneous Business, to which was referred

The bill entitled,

A further supplement to the act entitled "an act authorizing the removal of certain mill dams from Rahway River and its branches, within the limits of the townships of Rahway and Woodbridge, in the counties of Essex and Middlesex," approved March third, eighteen hundred and fifty-four;

Also,

The bill entitled,

An act to provide means for the draining of meadows and low-lands, on Salem Creek, in the county of Salem,

Reported the same,
Without amendment.

Mr. Robertson, from the Joint Committee on State Prison Accounts, presented the following report and statements accompanying the same.

(For Report and statements, see Appendix.)

Which report was read and accepted.

On motion of Mr. Robertson,
It was ordered, That one thousand copies of the report and accompanying documents be printed, under direction of said Committee, for the use of the Senate.

Mr. Smith moved that the vote by which

The bill entitled,
An act to incorporate the Freehold Banking Company,

Was disagreed to upon its final passage this morning,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults, Swain—13.

NAYS— Alexander, (Pres.), Bramhall, Depew, Hoxsey, Robertson, Somers—6.

So said motion
Was agreed to, and

And the vote re-considered accordingly, and said bill ordered to stand upon its third reading.

The re-engrossed bill entitled,
A further supplement to the act entitled "An act to incorpor-

ate the Paterson and New York Plank Road Company," approved March eighteen, eighteen hundred and fifty-one ;

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass ?

It was decided in the affirmative, as follows :

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The bill entitled,

Supplement to an act entitled "An act to incorporate the Bergen County Railroad Company,"

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon :

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,

Secretary of Senate.

Mr. Laird moved that the vote by which

The bill entitled,

An act to incorporate the Hackettstown Bank, of the county of Warren, at Hackettstown,

Was disagreed to upon its final passage this morning,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain—13.

Nays——Messrs. Alexander, (Pres.) Bramhall, Depew Hoxsey, Robertson, Somers, Smith—7.

So said motion

Was agreed to, and

The vote re-considered accordingly, and the bill ordered to stand upon its third reading.

The engrossed bill entitled,

An act to incorporate the Passaic Paint Company;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

Ayes—Messrs. A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—15.

Nays—Messrs. Alexander, (Pres.) Bramhall, Robertson—3.

Ordered, That the President sign said bill, the Secretary carit to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Lime and Cement Company, of the township of Elizabeth;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Robertson, Somers, Stults, Swain—14.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to authorize the sale of certain real estate in the county of Warren, whereof Abraham Arndt, died seized,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows?

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Somers, Stults, Swain—16,

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Burlington county Iron Manufacturing Company,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Somers, Stults, Swain—15.

NAYS—Messrs. Alexander, (Pres.), Bramhall, Depew, Robertson—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Phillipsburg Bank,

Was taken up and read a third time.

Mr. Hoxsey moved a call of the Senate, which call being sustained and ordered,

The Secretary proceeded to call the Senate, when the following named Senators answered the call:

Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—19.

All further proceedings under the call being dispensed with,

The consideration of said bill was resumed.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Chetwood, Howell, Rea, Roberts, Stults, Swain—6.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Robertson, Somers—13.

The bill from the House of Assembly entitled,

A supplement to an act entitled "An act to incorporate the Freehold and Howell Plank Road Company," approved March first, eighteen hundred and fifty-three;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—19.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly entitled

An act to revive, continue in force, and amend an act entitled "An act to enable the owners and possessors of the meadows and marsh lands, adjoining the Creek commonly called Cromkill, in the county of Hudson, to erect and maintain banks, dykes, dams and water-works, sufficient to prevent the tide from overflowing the same," passed March eleventh, eighteen hundred and forty-two,

Was taken up, and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

The bill from the House of Assembly entitled,

An act to incorporate the Raritan Bay and Bergen Iron Works Railroad Company,

And the amendments made thereto in the Senate,

Which was postponed yesterday,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly, as amended, pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Howell, Hoxsey, Martin, Roberts, Robertson, —10.

NAYS—Messrs. Alexander, (Pres) I. Bonnell, Depew, Franklin, Laird, Somers, Stults, Swain—8.

Ordered, the Secretary carrysaid bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill from the House of Assembly, entitled

An act to incorporate the Dover Mining and Manufacturing Company;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Stults—14.

NAYS—Messrs. Alexander, (Pres.), Bramhall, Hoxsey, Robertson, Swain—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly, entitled

"An act for the relief of Margaret Swackhammer, of Washington, in the county of Morris;

Was taken up and read a third time.

Mr. Robertson moved that the further consideration of said bill be postponed for the present.

Which motion was agreed to, and the further consideration of the same postponed accordingly.

The Joint Resolution from the House of Assembly entitled

Joint Resolution relative to the endorsement of the bonds of certain railroad companies, by the Joint Companies;"

Was taken up, and read a third time.

Upon the question,

Shall this Joint resolution from the House of Assembly pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—17.

Nays—None.

Ordered, That the President sign said joint resolution, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said joint resolution from the House of Assembly without amendment.

The bill from the House of Assembly entitled,

A further supplement to the act entitled "an act to establish and regulate Pilots for the ports of Jersey City and Perth Amboy, by way of Sandy Hook," approved February eighth, eighteen hundred and thirty-seven,

Was taken up, read a first time by its title, ordered to have a second reading.

Mr. Bramhall moved that said bill be referred to a special committee.

Which motion was agreed to.

The President appointed Messrs. Bramhall, Allen and Hoxsey said committee.

The bill entitled,

An act to incorporate the New Jersey Ocean Steam Navigation Company,

And the amendments made thereto in the House of Assembly,

Was taken up, and the amendments read and concurred in and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

An act to incorporate the Bordentown Savings Institution,

And the amendmens made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

Mr. Hoxsey, from the committee on the Judiciary, to which was referred

The bill entitled,

Supplement to the act entitled "An act respecting Coroners, approved April seventeenth, eighteen hundred and forty-six.

Also,

The bill entitled,

A further supplement to the act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, approved the twenty-fifth day of March, eighteen hundred and fifty-two;

Reported the same, severally,
Without amendment.

Mr. Franklin moved that the vote by which

The bill from the House of Assembly, entitled

An act to incorporate the Raritan Bay and Bergen Iron Works Railroad Company,

Was disagreed to upon its final passage,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly, and the bill ordered to stand upon its third reading.

Mr. Hoxsey moved that the Senate now adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. I. Bonnell, Bramhall, Hoxsey, Somers—4.

Nays—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperth-

waite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—12.

So said motion

Was not agreed to.

Mr. A. V. Bonnell called up

The bill entitled,

An act relative to the office of Bank Superintendent,

Which was read a second time yesterday, and postponed, pending the consideration of the first section.

The first section as follows—

1. BE IT ENACTED, *By the Senate and General Assembly of the State of New Jersey,* That there shall be elected triennially, by the Senate and General Assembly in joint meeting, a "Bank Superintendent," who shall hold his office for the term of three years, and until a successor is chosen to and qualified to serve in his stead; and said Bank Superintendent shall, before he enters upon the duties of his office, or be admitted to take the oath or affirmation hereinafter prescribed, enter into bond to the state of New Jersey, with at least good and sufficient sureties, being freeholders in said state, jointly and severally in the sum of thousand dollars, with condition for the faithful performance of his duties, and for the fidelity of the person or persons to be by him employed, in the form hereinafter provided, which said bond shall be executed in the presence of and approved by at least two of the justices of the supreme court and be so indorsed by them.

Being under consideration,

Mr. A. V. Bonnell moved that the blank in the seventh line be filled with the word *"ten,"* and the blank in the eighth line with the words *"one hundred."*

Which motion was agreed to.

Mr. Hoxsey moved to amend said section, by striking out, in the second and third lines, the words, "by the Senate and Gen-

eral Assembly in joint meeting," and inserting in the place thereof the words, "by the Governor, by and with the advice and consent of the Senate.

Which amendment was agreed to, and the section as amended agreed to.

The second, third and fourth sections were then considered and agreed to.

The fifth section as follows—

5. *And be it enacted*, That it shall be the duty of the said bank superintendent, at least once in every six months, to visit every incorporated bank and banking association in the state, and thoroughly to inspect their affairs, to examine all the books, papers, notes, bonds, and other evidences of debt of said banks and associations, to compare the funds and property of the said banks and associations with the statements to be made by them as hereinafter directed, to ascertain the quantity of specie the said banks and associations have on hand, and generally to make such other inquiries as he may deem necessary to ascertain the actual condition of the said banks and associations respectively, and their ability to fulfil the engagements made by them,

Being under consideration,

Mr. Hoxsey moved to amend the same by inserting, after the word *hand*, in the seventh line, the words—"and examine the bills receivable and other securities of said bank, with a view of fully and satisfactorily ascertaining the solvency of the drawers or makers thereof."

Which amendment was agreed to.

Said section was then agreed to.

The sixth section of said bill as follows—

6. *And be it enacted*, That the said bank superintendent shall have power to examine, upon oath, all the officers, servants and agents of the said banks and banking associations, or any other person or persons whatever, in relation to the affairs and condition of said banks and associations, which oath the said superintendent is hereby authorized to administer.

Being under consideration,

Mr, Hoxsey moved to amend the same by inserting, after the word *associations*, in the third line thereof, the words—"and it shall be the duty of all bank officers, servants and agents of any bank, when called upon so to do, to full answer make touching all inquiries that may be made by said bank superintendent touching the condition of such banks and the management of its business.

Which amendment was agreed to, and the section as amended agreed to.

The seventh section thereof as follows—

7. *And be it enacted*, That the said superintendent shall not disclose the names of the debtors of any bank or association examined by him, or any information obtained in the course of such examination, unless required in a court of justice, or in the course of some proceeding or the performance of some duty authorized by this or some other act of the legislature of this state.

Being under consideration,

Mr. Hoxsey moved to amend the same by adding, after the word *state*, in the last line, the words—"except he shall find it necessary so to do in order to ascertain the real condition of the banking association under examination.

Which amendment was agreed to, and the section as amended agreed to.

The eighth section was then read, and

On motion of Mr. Hoxsey,

The further consideration of the same postponed for the present.

The ninth section thereof as follows—

9. *And be it enacted*, That if the said superintendent shall ascertain from such inspection and examination, or in any other manner, that any banking association is insolvent, or likely to become insolvent, as specified in the next preceding section,

or if he shall have reason to believe that such association is not carrying on the business of banking in a bona fide manner, and according to the true intent and meaning of the act entitled "an act to authorize the business of banking," approved February twenty-seventh, eighteen hundred and fifty, and of the supplements thereto, the said superintendent shall so report to the Chancellor, in writing, who shall proceed, on such complaint, as he is directed to do in the first section of the act entitled "a further supplement to the act entitled 'an act to authorize the business of banking,'" approved February twenty-seventh, eighteen hundred and fifty, which supplement was approved March twenty-sixth, eighteen hundred and fifty-two.

Being under consideration,

Mr. Hoxsey moved that the further consideration of said section be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Somers—7.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Roberts, Stults, Swain—9.

So said motion

Was not agreed to.

The same Senator then moved that the further consideration of said section be postponed until to-morrow morning.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Howell, Hoxsey, Laird, Rea, Somers—9.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Roberts, Stults, Swain—9.

So said motion

Was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults, Swain—12.

NAYS—Messrs. Alexander, (Pres.), Depew, Howell, Hoxsey, Laird, Somers—6.

So said section
Was agreed to.

The eleventh section of said bill as follows—

11. *And be it enacted*, That the annual statements now required by law to be made and forwarded by the several banks and banking associations to the treasurer of this state, shall hereafter be made out and forwarded to the bank superintendent, on the first day of January, in each and every year: and it shall be the duty of the said superintendent, as soon as possible thereafter, to lay every such statement, together with an abstract of the quarterly statements hereinafter mentioned, before the legislature of this state.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word "*quarterly*," in the sixth line, and inserting the word "*monthly*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Howell, Hoxsey, Laird, Robertson, Somers—8.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults, Swain 11.

So said amendment
Was not agreed to.
Said section was then agreed to.

The twelfth section thereof as follows—

12. *And be it enacted*, That every incorporated bank in this state, in addition to the annual statement now required by the fifth section of the act entitled "an act to punish frauds committed on the incorporated banks of this state, and for the better regulation of said banks," approved April fifteenth, eighteen hundred and forty-six, shall make out and forward to the bank superintendent, on the first days of April, July and October, in each and every year, quarterly statements of its affairs and condition on said days respectively, which statements shall contain the same matters and be verified in the same manner and by the same officers as the said annual statements.

Being under consideration,

Mr. Hoxsey offered the following as a substitute for said section—

12. *And be it enacted*, That every incorporated bank or banking association of this State, in addition to the annual statement now required to be made by law, shall make out and forward to the Bank Superintendent on the first Monday of each and every month, under the oath of the President or Cashier of such Bank, a true, full, and accurate statement of the condition and affairs of such Bank, which said statement shall condtain.

First, the gross amounts of discounts made by such Banks: *second*, the amounts of such discounts *bona fide*, loaned to citizens of this State, designating what portion thereof may be good, doubtful, or bad; *third*, the amount of such discounts loaned to persons non-residents of New Jersey, designating what portion thereof may be good, doubtful, or bad; *fourth*, the amount of the gross circulation of such banks which has passed from the immediate possession of the bank for any purpose whatever, as a portion of such circulation; *fifth*, the average amount of specie *bona fide* held by such bank and the property of the bank, and held for the redemption of the circulation of such bank; *sixth*, the names of the President and Cashier and Directors of such bank at the time of making such statement.

The ayes and nays being demanded and ordered upon the question of agreeing to said substitute, were as follows:

Ayes—Messrs. Alexander, (Pres.), Bramhall, Depew, Howell, Hoxsey, Laird, Robertson, Somers—8.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Rea, Roberts, Stults, Swain—9.

So said substitute was not agreed to.

Mr. Hoxsey moved that the further consideration of said bill be postponed until the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthaite, Franklin, Howell, Laird, Rea, Roberts, Robertson, Smith, Stults, Swain—14.

So said motion

Was not agreed to.

The same Senator moved that the Senate now adjourn,

Which motion was not agreed to.

Said twelfth section was then agreed to.

The thirteenth and fourteenth sections were considered and agreed to.

Mr. A. V. Bonnell offered a new section, to be called section fifteenth, as follows:

15. *And be it enacted*, That it shall be the duty of said bank upon the first Monday of January, April, July, and October, to publish in at least one newspaper published in the county where said bank is located, a statement of the actual condition of said bank, containing first, the gross amount of discounts at the date of such statement, particularly designating what portion thereof may be good, and what portion may be doubtful or bad; second, the average amount of specie for the preceding quarter, bona fide the property of said bank, held for the purpose of the redemption of circulation; third, the average amount of circulation for the preceding quarter, which shall include all bills or notes of said bank that have passed from out of said bank for any purpose or purposes whatever; fourth, the names of the president, cashier and directors of said bank at the time of such statement,

Which section was read, considered, and agreed to.

The sixteenth section of said bill, as follows:

16. *And be it enacted*, That it shall be the duty of the Bank Superintendent to file said annual and quarterly statements in his office; and as soon as possible, and not later than fifteen days after the time they are required to be made, to publish such statements, or an abstract thereof, in tabular form, at least three times in one daily newspaper printed and published at Trenton, and one at Newark, in this state,

Being under consideration.

Mr. Hoxsey moved to amend the same by striking out in the fourth line, the words "*or an abstract thereof in tabular form.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Somers, Swain—7.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Rea, Roberts, Smith, Stults—10.

So said amendment

Was not not agreed to.

Said section was then agreed to.

The seventeenth section was considered and agreed to.

Mr. Hoxsey offered a new section to be called section eighteen, as follows:

18. *And be it enacted*, That it shall be the duty of the said Bank Superintendent, within ten days from the time of receiving the securities, stocks and other property mentioned in the last preceding section, to indorse upon the back or face thereof, the following words, to wit: deposited with the bank commissioner of the State of New Jersey, as security for the circulating notes of the bank of and not to be transferred, except for the purpose of redeeming the circulation of said bank, or returned to said bank, according to law; and no transfer thereof, to be held valid and legal, except under the signature of the Governor, the Attorney-General, and the Bank Superintendent of said State,

Which section was read, considered, and agreed to.

The nineteenth and twentieth sections were then considered and agreed to.

The twenty-first section of said bill, as follows:

21. *And be it enacted*, That the said bank superintendent shall receive the annual salary of dollars, to be paid quarterly, together with his necessary travelling expenses, when engaged in the duties of his office; which salary and expenses, together, with the expenses of publishing the bank statements, as herein before provided, shall be assessed upon and paid by the several banks and banking associations in this state, in proportion to their respective capitals; which assessments shall be made out by the bank superintendent, and collected by the treasurer, at the same time and in the same manner as the tax now levied on said banks and associations,

Being under consideration,

Mr. A. V. Bonnell moved to fill the blank in said section with the words "*twenty-five hundred*

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Franklin, Howell, Roberts, Swain—7.

NAYS—Messrs. Alexander, (Pres) Bramhall, Cowperthwaite, Depew, Hoxsey, Laird, Rea, Robertson, Somers, Smith, Stults, —11.

So said motion

Was not agreed to.

The same Senator moved to fill said blank with the words "*two thousand.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Roberts, Stults, Swain—6.

NAYS—Messrs. Alexander, (Pres.), Bramhall, Cowperthwaite,

Depew, Franklin, Howell, Hoxsey, Laird, Robertson, Somers, Smith—11.

So said motion

Was not agreed to.

Mr. Hoxsey moved that said blank be filled with the words "*fifteen hundred.*"

Which motion was agreed to.

Pending the consideration of said section,

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Bramhall, Cowperthwaite, Depew, Hoxsey, Laird, Robertson, Somers, Stults, Swain—10.

NAYS—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Roberts, Smith—6.

So said motion

Was agreed to, and

The Senate then adjourned.

FRIDAY, February 9, 1855.

At ten o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Brown.

The journal of the previous day was read and approved.

Mr. Robertson presented a petition from Margaret Swackhammer asking the Legislature to grant her a pension in consideration of the Revolutionary services of her husband, Samuel Swackhammer, deceased.

Which was read and ordered to lie on the table.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to an act entitled "an act to incorporate the Beverly Steam Power Company," approved March eighteen, eighteen hundred and fifty-one.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Chetwood moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Bank of Elizabeth Port.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled,

An act to incorporate the New Jersey Ocean Steam Navigation Company,

Also,

The re-engrossed bill entitled,

An act to incorporate the Morristown Gas Light Company,

And find the same to be correctly re-engrossed.

Also,

That they have examined

The amendments made in the Senate to

The bill from the House of Assembly, entitled

An act to incorporate the Atlantic City Ice Company,

And find the same to be correctly engrossed.

Also,

That they have examined

The bill entitled,

An act for the preservation of fish in Manasquan River, in the counties of Monmouth and Ocean;

And find the same to be correctly engrossed.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

An act to incorporate the Somerset County Agricultural Society.

Also,

The bill entitled,

A supplement to an act to incorporate the Lumberville Delaware Bridge Company," passed February twelfth, eighteen hundred and thirty-six;

Also,

The bill entitled,

An act to incorporate the Gloucester County Bank, at Woodbury;

Reported the same, severally,
Without amendment.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have presented to the Governor for his approval

Senate bill No. 49,

An act to establish a State Normal School,

Senate No. 4,

A supplement to the act entitled an act to re new and re-establish "An act entitled an act to incorporate the Passaic Water Company," approved February thirteenth, eighteen hundred and forty-nine, and supplemental thereto, approved February ninth, eighteen hundred and fifty-four;

Senate No. 34,

An act to confirm certain conveyances of lands lying in the township of Freehold, in the county of Monmouth;

Senate No. 7,

An act to authorize a subscription on the part of the State to a new edition of Elmer's Digest of the Laws;

Senate No. 39,

A supplement to an act entitled "An act to secure to creditors an equal and just division of the estate of debtors, who convey to assignees for the benefit of creditors:

Senate No. 25,

A further supplement to an act entitled "An act for the more easy partition of lands held by co-parceners, joint tenants and tenants in common," approved April sixteenth, eighteen hundred and fortysix.

DANIEL D. DEPEW,

Ch'm of said Committee.

February 8, 1855.

Mr. Allen moved that the vote by which

The bill entitled,

An act to incorporate the Phillipsburg Bank,

Was disagreed to yesterday on its final passage,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly, and the bill ordered to stand upon its final reading.

The re-engrossed bill entitled,

An act to incorporate the Morristown Gas Light Company,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell,

I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The re-engrossed bill entitled,

An act to incorporate the Phillipsburg Bank,

Was taken up upon its final passage.

Mr. Allen moved that the further consideration of said bill be postponed for the present.

Mr. Hoxsey moved that the further consideration of said bill be postponed until the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Depew, Howell, Hoxsey, Laird, Rea, Robertson, Somers—12.

NAYS—Messrs. Allen, Chetwood, Franklin, Martin, Smith, Stults, Swain—7.

So said motion was agreed to, and the further consideration of said bill was postponed accordingly.

The engrossed bill entitled,

An act to incorporate the City Bank of Perth Amboy;

Was taken up.

Mr. Allen moved that the further consideration of the same be postponed for the present.

Mr. A. V. Bonnell moved to amend said motion by striking out the words *"for the present,"* and inserting the words *"until the next session of the Legislature."*

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Swain—5.

NAYS—Messrs. Alexander, (Pres.) Allen, Bramhall, Chetwood, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults—15.

So said amendment to said motion

Was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion to postpone the further consideration of said bill for the present, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. A. V. Bonnell, Bramhall, Depew, Hoxsey, Laird, Robertson, Somers—7.

So said motion was agreed to, and the further consideration of said bill postponed accordingly.

The engrossed bill entitled,

An act to regulate fishing in Manasquan River, in the counties of Monmouth and Ocean;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows?

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly entitled,

An act to incorporate the Raritan Bay and Bergen Iron Works Railroad Company,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults—11.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, Depew, Laird, Rea, Robertson, Somers, Swain—8.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly, entitled

An act to incorporate the Atlantic City Ice Company,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Somers, Smith, Stults—12.

NAYS—Messrs. Alexander, (Pres.) Depew, Laird, Rea, Robertson, Swain—6.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly, entitled

"An act for the relief of Margaret Swackhammer, of Washington, in the county of Morris,

Which was read a third time yesterday, and postponed pending its consideration,

Was taken up.

Upon the question,

Shall this bill from the House of Assembly, pass?

It was decided in the affirmative as follows:

AYES—Messrs. A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults,—16.

NAYS—Messrs. Alexander, (Pres.) Chetwood, Swain—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The re-engrossed bill entitled,

An act to incorporate the New Jersey Ocean Steam Navigation Company,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith—9.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Rea, Robertson, Somers, Stults, Swain—9.

The bill entitled,

An act relative to the office of Bank Superintendent,

Which was under consideration yesterday when the Senate adjourned,

Was taken up, and the twenty first section thereof, considered and agreed to.

Mr. Hoxsey moved that the vote by which the twenty-first section was agreed to, be re-considered for the purpose of amending the same,

Which motion was agreed to, and the vote reconsidered accordingly.

Said section, as follows:

21. *And be it enacted*, That the said bank superintendent shall receive the annual salary of fifteen hundred dollars, to be paid quarterly, together with his necessary travelling expenses, when engaged in the duties of his office; which salary and expenses, together, with the expenses of publishing the bank statements, as herein before provided, shall be assessed upon and paid by the several banks and banking associations in this state, in proportion to their respective capitals; which assessments shall be made out by the bank superintendent, and collected by the treasurer, at the same time and in the same manner as the tax now levied on said banks and associations.

Was taken up.

Mr. Hoxsey moved to amend the same by striking out the word "*their*" in the sixth line, and inserting the following words "the amount of circulation authorized to be issued by the several banks of this State by their acts of incorporation and re-incorporation."

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES — Messrs. Alexander, (Pres) I. Bonnell, Bramhall, Depew, Hoxsey, Robertson, Somers—7.

NAYS—Messrs. Allen, A. V. Bonnell, Cowperthwaite, Franklin, Howell, Martin, Roberts, Stults, Swain—9.

So said amendment

Was not agreed to.

The twenty-second and twenty-third sections were then considered and agreed to.

The twenty fourth section of said bill, as follows:

24. *And be it enacted*, That it shall be the duty of said bank superintendent to prosecute, or cause to be prosecuted, any person or persons offending against any of the provisions of the act entitled, "An act for the punishment of crimes," relating to the forging or counterfeiting of bank notes, or passing thereof, the expenses of such prosecutions to be paid by the several banks and banking associations, in proportion to their respective capitals, in the manner provided in the nineteenth section of this act,

Being under consideration.

Mr. Hoxsey offered a substitute for said section to be called section twenty-two, as follows:

22. *And be it enacted*, That the President, Directors, and stockholders of all the incorporated banks of this State shall be jointly and severally liable for the payment of the bills or notes issued by their respective corporations at the time of their becoming insolvent, and may be jointly and severally prosecuted at law or in equity by the holder or holders of any such bills or notes, as if the same were their own joint and several notes or bills executed by them in their natural capacity; and it shall not be competent for any director to fraudulently resign his office, nor for any stockholder fraudulently to assign his, her or their stock with intent to avoid such liability, *provided*, however, that all directors and stockholders shall be liable as afore-

said in all cases, for the term of six months after the time they shall have ceased to be directors and stockholders.

The ayes and nays being demanded and ordered upon the question of agreeing to said substitute, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Somers, Stults, Swain—13.

So said substitute was not agreed to.

The twenty-fourth section was then agreed to.

The twenty-fifth and twenty-sixth sections were then considered and agreed to.

The eighth section of said bill as follows—

8. *And be it enacted*, That if the said superintendent shall ascertain from such inspection and examination, or in any other manner, that any incorporated bank is insolvent, or likely to become insolvent, within the true intent or meaning of the act entitled "an act to prevent frauds by incorporated companies," approved April fifteenth, eighteen hundred and forty-six, the said superintendent shall immediately apply to the chancellor, by bill or petition, for a writ of injunction and the appointment of receivers; and the chancellor shall possess like powers upon such application, and the same proceedings shall in all respects be thereupon had, as are provided by law in respect to such applications when made by any creditor or stockholder of an incorporated company,

Which was postponed yesterday pending the consideration of the same,

Was taken up.

Mr. Hoxsey moved to amend the same by striking out between the word *insolvent*, in the third line, and the word *the*, in the fifth line, the words—"within the true intent or meaning of the act entitled 'an act to prevent frauds by incorporated companies,' approved April fifteenth, eighteen hundred and forty-six."

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs Alexander, (Pres.), Bramhall, Depew, Hoxsey—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Howell, Martin, Roberts, Somers, Smith, Stults, Swain—12.

So said amendment was not agreed to.

Said section was then agreed to.

Mr. Hoxsey offered a new section, to be called section twenty-seven, as follows:

27. *And be it enacted*, That this act shall take effect immediately.

Which section was agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

Mr. I. Bonnell offered the following resolution:

Resolved, That when the Senate adjourns, it will adjourn to meet on Monday afternoon, at 3 o'clock.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. I. Bonnell, Bramhall, Depew, Hoxsey, Roberts—5.

NAYS—Messrs. Alexander, (Pres.), Allen, Cowperthwaite, Franklin, Howell, Martin, Smith, Stults, Swain—9.

So said resolution

Was not not agreed to.

Mr. Bramhall moved that the vote by which

The bill entitled,

An act to incorporate the New Jersey Ocean Steam Navigation Company,

Was disagreed to on its final passage,

Be re-considered.

Which was agreed to, and the vote reconsidered accordingly, and the bill ordered to stand upon its third reading.

Mr. Bramhall from the Special Committee to which was referred

The bill from the House of Assembly entitled

A further supplement to the act entitled "An act to establish and regulate Pilots for the ports of Jersey City, Newark, and Perth Amboy, by way of Sandy Hook," approved February eighth, eighteen hundred and thirty-seven,

Reported the same,
Without amendment.

Mr. Smith, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A further supplement to the act entitled "An act to regulate Elections," passed March twelfth, one thousand eight hundred and thirty-nine.

Which was read the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill entitled,

A supplement to an act entitled "An act to incorporate the Sterling Zinc Company," approved March three, eighteen hundred and fifty-four;

Was taken up, read a second time, the first and only section thereof considered, and agreed to, the bill ordered to be engrossed, and have a third reading.

The bill entitled,

An act to change the name of the Union Presbyterian Church of Georgetown and Lambertville, in the county of Hunterdon.

Was taken up, read a second time, the first and only section thereof considered and agreed to, and the bill ordered to be engrossed, and have a third reading.

The President laid before the Senate the following invitation:

To the Senate of the State of New Jersey:

HON. GENTLEMEN:

You are respectfully invited to attend the meeting of the New Jersey Homœpathic Society, on Tuesday, 13th inst., at 7 o clock P. M., in the Assembly Chamber, to hear their annual address.

LEANDER W. SHIPPEN,

Secretary.

Which was read.

A message was received from His Excellency, the Governor by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, February 8, 1855.

Mr. President:

I have this day approved and signed the following bills, which originated in your House:

An act to establish a State Normal School,

Also,

An act to re-organize the Courts of Law;

Also,

An act to regulate fishing in Manasquan River, in the counties of Monmouth and Ocean;

Also,

An act increasing and defining the powers of the Rifton Manufacturing Company, in certain particulars,

Also,

An act to authorize William Bailey, Sr., to sell certain real estate, late of Jedediah Elwell, deceased;

Also,

A further supplement to the act entitled "An act to incorporate the Sussex and Warren Railroad Company," approved February twenty-first, eighteen hundred and fifty-one;

Also,

An act to authorize a subscription on the part of the state to a new edition of Elmer's digest of the laws.

And,

A supplement to the act entitled an act to re new and re-establish "An act entitled an act to incorporate the Passaic Water Company," approved February thirteenth, eighteen hundred and forty-nine, and supplemental thereto, approved February ninth, eighteen hundred and fifty-four.

RODMAN M. PRICE.

The bill entitled,

An act to authorize the sale of perishable property transported on canals and railways, n certain cases,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill from the House of Assembly entitled

An act for the Suppression of Intemperance,

Was called up, and

On motion of Mr. Howell, made the special order of the day for Tuesday next.

A Joint Resolution entitled

Joint Resolution relative to the purchase of Webster's Dictionary for the use of Common Schools;

Was taken up, read a second time, considered, amended and agreed to, and ordered to have a third reading.

The bill entitled,

A supplement to the act entitled, "An act to incorporate the Warren Railroad Company,"

Was taken up, read a second time, considered by sections, and amended, and pending the consideration of the preamble,

On motion of Mr. Martin, the further consideration of the same was postponed for the present.

The bill entitled,

A further supplement to the act entitled "An act to incorporate the New York and Paterson Plank Road Company," approved March eighteen, A. D. eighteen hundred and fifty-one;

Also,

The bill entitled,

An act to incorporate the Passaic Quarry Company;

Also,

The bill entitled,

An act to incorporate the Hackettstown Mining and Manufacturing Company

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on

Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each :

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,

Secretary of Senate.

On motion of Mr. Bramhall,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 22,

Supplement to an act entitled "An act to incorporate the Bergen County Railroad Company,"

DANIEL D. DEPEW,

Ch'm of said Committee.

February 9, 1855.

The bill entitled,

A further supplement to an act entitled "An act to incorporate the Sussex Zinc and Copper Mining and Manufacturing Company," approved February twenty-third, eighteen hundred and forty-eight.

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

Mr. Stults offered the following resolution:

Resolved, That when the Senate adjourns, it will adjourn to meet on Monday afternoon, at 3 o'clock.

Which was read and agreed to.

The bill entitled,

An act to authorize a change in the artillery carriages at the State Arsenal, and to attach percussion locks,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Gloucester County Bank, at Woodbury;

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill from the House of Assembly, entitled

A further supplement to the act entitled "An act to incorporate the Florence and Freehold Plank Road or Turnpike Company," approved February nineteenth, eighteen hundred and fifty-two, a supplement, approved February twenty-fourth, eighteen hundred and fifty-three;

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

An act to incorporate the Bergen Land Improvement Company;

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 9, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly have passed

The bill entitled,

A supplement to an act entitled "An act to incorporate the Mount Holly and Moorestown Turnpike Company," approved March twenty-fifth, one thousand eight hundred and fifty-two;

Also,

The bill entitled,

An act to regulate the sale of Candles;

Also,

The bill entitled,

A further supplement to the act entitled "An act for the preservation of Sheep," approved April fourteenth, one thousand eight hundred and forty-six;

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has passed the bill from the Senate entitled,

A supplement to the act entitled "An act to incorporate the Millstone and New Brunswick Railroad," passed the twenty-seventh day of February, A. D. eighteen hundred and thirty-seven,

Without amendment.

Also,

The bill from the Senate entitled

An act to incorporate the Great and Little Egg Harbor Turnpike Road Company,

With amendments,

In which amendments the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill entitled,

A supplement to the act entitled an act to incorporate the Millstone and New Brunswick Railroad," passed the twenty-seventh of February, eighteen hundred and thirty-seven;

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,

Secretary of Senate

Mr, I. Bonnell moved that the vote by which

The bill from the House of Assembly entitled

An act to incorporate the Raritan Bay and Bergen Iron Works Railroad Company,

With the amendments made thereto in the Senate,

Was agreed to this morning on its final passage,

Be re-considered.

Which motion was agreed to, and the vote re-considered ac-

cordingly, and the bill ordered to stand upon its final reading.

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Mount Holly and Moorestown Turnpike Company," approved March twenty-fifth, one thousand eight hundred and fifty-two,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The bill from the House of Assembly entitled,

An act to regulate the sale of Candles,

Wa taken up, read for the first time by its title, and ordered to nave a second reading, and referred to the Committee on Miscellaneous Business.

The bill from the House of Assembly entitled,

A further supplement to the act entitled "An act for the preservation of Sheep," approved April fourteen, one thousand eight hundred and forty-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Agriculture.

The bill entitled,

An act to incorporate the Great and Little Egg Harbor Turnpike Road Company,

And the amendmens made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill from the House of Assembly, entitled

An act to authorize the inhabitants of Millville and Maurice River, in the county of Cumberland, to vote by ballot at their town-meetings,

Was taken up, read a second time, and pending the consideration of the seventh section,

On motion of Mr. Howell the further consideration of said bill was postponed for the present.

The bill from the House of Assembly, entitled

An act to incorporate the New Jersey Express Company,

Was taken up, and having been read a second time, was considered by sections, amended and agreed to, and the amendments ordered to be engrossed, and the bill to have a third reading.

The bill from the House of Assembly entitled,

"An act to incorporate the Raritan Marine Insurance Company ;

Was taken up, read a second time, considered by sections, and agreed to.

Mr. Bramhall moved that the further consideration of said bill be postponed for the present.

Which motion was not agreed to.

Said bill was then ordered to have a third reading.

The President laid before the Senate the annual Report of the Atlantic Railroad Company, as follows :

(For Report see Appendix.)

On motion of Mr. Allen, said report was ordered to lie on the table.

Mr. Depew, from the Committee on Passed Bills, reported as follows—

The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval,

Senate bill No. 3,

An act to incorporate the Hackettstown Mining and Manufacturing Company,

Senate No. 35,

An act to incorporate the Passaic Quarry Company,

Senate, No. 46,

A further supplement to the act entitled "an act to incorporate the Paterson and New York Plank Road Company," approved March eighteen, A. D. eighteen hundred and fifty-one.

DANIEL D. DEPEW,
Ch'n of said Committee.

February 9, 1855.

On motion of Mr. Allen

Then Senate then adjourned.

MONDAY, February 12, 1855.

At 3 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of Friday was read and approved.

Mr. Chetwood presented a petition from G. W. M'Lean and others, residents of the townships of Westfield, Plainfield, Union, New Providence, Rahway Elizabeth and Springfield, in the county of Essex, asking that said townships be set off into a new county, to be called the county of Union.

On motion of the same Senator, said petition was ordered to lie on the table without reading.

Mr. Franklin presented a petition from James M. Saunders and others, inhabitants of the southern portion of New Jersey, asking the passage of a law establishing a Bank in the borough of Woodbury.

Which was ordered to lie on the table without reading.

Mr. Allen presented a petition from J. W. Black and others, citizens of the county of Burlington, asking the passage of a law to set off from the townships of New Hanover, Springfield and Chesterfield in said county, a new township to be called Oakland township.

Which was ordered to lie on the table without reading.

Mr. A. V. Bonnell moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to repeal an act entitled "a further supplement to the act entitled an act against usury," approved April tenth, eighteen hundred and forty-six, which said supplement was approved March second, eighteen hundred and fifty-four.

Which was read a first time by its title, ordered to have a a second reading, and referred to the Committee on the Judiciry.

Mr. Allen gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to set off from the townships of New Hanover, Spring-

field and Chesterfield, in the county of Burlington, a new township to be called the township of Oakland.

Mr. Rea, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to divide the township of Mansfield, in the county of Warren, and to set off a new township in said county, to be called the township of Beattystown.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same Senator presented a petition from Charles Stewart and others, residents of the township of the township of Mansfield, in the county of Warren, asking for a division of said ownship.

Which was referred to the Committee on Municipal Corporations without reading.

Mr. I. Bonnell, from the Committee on Agriculture, to which was referred

The bill from the House of Assembly entitled,

A further supplement to an act entitled "an act for the preservation of sheep," approved April fourteen, eighteen hundred and forty-six,

Reported the same, without amendment.

The bill from the House of Assembly entitled,

A further supplement to the act entitled "An act to incorporate the Florence and Freehold Plank or Turnpike Road Company," approved February nineteen, one thousand eight hundred and fifty-two, and a supplement thereto, approved February twenty-four, one thousand eight hundred and fifty-three;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Stults, Swain —11.

NAYS—Mr. Alexander, (Pres.),—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

The bill entitled,

A supplement to an act to incorporate the Lumberville Delaware Bridge Company," passed February twelfth, eighteen hundred and thirty-six;

Was taken up, read a second time, considered by sections, agreed to, and was ordered to be engrossed and have a third reading.

The bill entitled,

A further supplement to the act entitled "an act authorizing the removal of certain mill dams from Rahway River and its branches, within the limits of the townships of Rahway and Woodbridge, in the counties of Essex and Middlesex," approved March third, eighteen hundred and fifty-four;

Was taken up and read a second time, and the first ten sections considered and agreed to.

The eleventh and only remaining section as follows—

11. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repeaied, and this act shall be deemed and taken a public act, and shall take effect immediately.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out, in the second and third lines, the words, "and this act shall be deemed and taken a public act, and shall take effect immediately."

Which amendment was agreed to, and the section as amended agreed to.

Mr. Allen moved that the vote by which said section was agreed to

Be re-considered.

Which motion was agreed to, and said vote re-considered accordingly.

The same Senator moved that the words, "and this act shall be deemed and taken as a public act, and shall take effect immediately," which were stricken out of said section, be restored.

Which motion was agreed to.

The section was then agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to incorporate the Camden and Blackwoodtown Turnpike Company,

Also,

The bill entitled,

An act to incorporate the Lambertville Water Company,

Also,

The bill entitled,

An act relative to the office of Bank Superintendent,

Also,

The bill entitled,

A supplement to an act entitled "An act to incorporate the Sterling Zinc Company," approved March three, eighteen hundred and fifty-four;

Also,

The bill entitled,

An act to change the name of the Union Presbyterian Church of Georgetown and Lambertville, in the county of Hunterdon.

And find the same to be correctly re-engrossed.

Mr. Chetwood, from the Committee on Corporations, to which was referred

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Mount Holly and Moorestown Turnpike Company," approved March twenty-fifth, one thousand eight hundred and fifty-two,

Reported the same,
Without amendment.

Mr. Martin, from the Committee on Miscellaneous Business, to which was referred

The bill from the House of Assembly entitled,

An act to regulate the sale of Candles,

Reported the same,
Without amendment.

Mr. A.V. Bonnell moved a suspension of so much of the twenty-third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a joint resolution this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A Joint Resolution entitled

Joint resolution relative to the early records of the supreme court.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

A message was received from His Excellency, the Governor by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, February 12, 1855.

Mr. President:

I have this day approved and signed the following bills, which originated in your House:

An act to incorporate the Hackettstown Mining and Manufacturing Company,

An act to incorporate the Passaic Quarry Company,

A further supplement to an act entitled "An act for the more easy partition of lands held by co-parceners, joint tenants and tenants in common," approved April sixteenth, eighteen hundred and fortysix.

A further supplement to the act entitled "An act to incorporate the New York and Paterson Plank Road Company," approved March eighteen, A. D. eighteen hundred and fifty-one;

A supplement to an act entitled "An act to secure to creditors an equal and just division of the estate of debtors, who convey to assignees for the benefit of creditors:

Supplement to an act entitled "An act to incorporate the Bergen County Railroad Company."

RODMAN M. PRICE.

The bill from the House of Assembly, entitled,

"A further supplement to the act entitled "An act to incorporate the town of Lambertville, in the township of West Amwell, and county of Hunterdon;

Was taken up, and having been read a second time, was considered by sections, amended and agreed to, and the amend-

ments ordered to be engrossed, and the bill to have a third reading.

The bill from the House of Assembly entitled,

An act to incorporate the West Newark Cemetery Company

Was taken up, read a second time, and the first six sections considered and agreed to.

The seventh and last section as follows—

7. *And be it enacted*, That this act shall take effect immediately,

Being under consideration,

Mr. Hoxsey moved that said section be stricken out.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), A. V. Bonnell, I. Bonnell Franklin, Howell, Hoxsey, Rea, Swain—8.

NAYS—Messrs. Allen, Chetwood, Cowperthwaite, Martin, Stults—5.

So said motion was agreed to, and the section stricken out.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Mount Holly and Moorestown Turnpike Company," approved March twenty-fifth, one thousand eight hundred and fifty-two;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. Allen gave notice that he would on to-morrow, o some future day, ask leave to introduce

A bill entitled,

A further supplement to the act entitled "an act to authorize

the business of Banking," passed the twenty-seventh day of February, eighteen hundred and fifty.

On motion of Mr. Stults,

The Senate then adjourned.

TUESDAY, February 13, 1855.

At 10 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of the previous day was read and approved.

Mr. Chetwood presented the opinions of William L. Dayton, J. P. Bradley, and William Pennington, Esquires, relative to the right of the New Jersey Railroad and Transportation Company, to erect a new bridge across the Passaic River, at the foot of Market street, in the city of Newark,

Which was ordered to lie on the table, without reading.

The same Senator presented a memorial from John S. Darcy and nineteen others, practicing physicians of the city of Newark, representing that they have found lager-bier a valuable addition to the list of remedial agents as a tonic, and a safe and wholesome beverage for general use, and that they think it

might with great propriety and expediency be exempted from the Prohibitory Liquor Law, if the Legislature shall see fit to pass it,

Which was read and ordered to lie on the table.

Mr. Franklin presented a petition from William B. Rosenbaum and others, inhabitants of the Southern portion of New Jersey, in favor of the passage of a law establishing a bank in the borough of Woodbury,

Which was read and ordered to lie on the table.

Mr. Hoxsey asked leave to withdraw from the files of the Senate sundry remonstrances presented against the granting of any special charters to banks in this State, in order that they may be presented in the House of Assembly,

Which leave was granted, and the remonstrances withdrawn.

Mr. Martin presented a remonstrance from John M. Clark, and others, inhabitants of the township of Westfield in the county of Essex, against the passage of the law to create the new county of Union,

Which was ordered to lie on the table without reading.

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A further supplement to the act entitled "an act authorizing the removal of certain mill dams from Rahway River and its branches, within the limits of the townships of Rahway and Woodbridge, in the counties of Essex and Middlesex," approved March third, eighteen hundred and fifty-four;

Also,

The bill entitled,

An act to authorize the sale of perishable property transported on canals and railways, in certain cases,

Also,

A Joint Resolution entitled

Joint Resolution relative to the purchase of Webster's Dictionary for the use of Common Schools;

And find the same to be severally, correctly engrossed.

Mr. Laird from the Joint Committee on the Lunatic Asylum, presented the following Report:

The Joint Committee on the Lunatic Asylum report:

That from their examination of the Asylum and inspection of the wards, they are satisfied that the managers and superintendent richly deserve that confidence which they have heretofore so justly received from the people of this State.

The system and order that pervades this institution is highly commendable, and the *modus operandi* in treating patients accords with the opinion of your committee, and with the well established principles of the best writers on lunacy.

The gentlemanly and highly competent superintendent took great pains in exposing and explaining all matters of inquiry. While this institution is the pride of our State, we consider the management is hardly excelled in this country—the designs and plans are nearly completed to make it comfortable, neat, cheerful, and healthy—and we are satisfied, so far as moral and physical treatment is concered, this institution will compare favorably with any other of a similar character.

To enable the institution to continue its usefulness, a law was passed authorizing the managers to erect two additional wings; these wings are nearly completed. An appropriation of twenty thousand dollars was made at the last session of the legislature, and your committee recommend a further appropriation of twenty-three thousand dollars to complete the building, and for the necessary fixtures, &c., agreeably to the contracts.

The special appropriation of two thousand dollars for enlarging the size of the water tanks and painting the buildings, has been nearly expended, affording a sufficient supply of water.

Your committee beg leave to call the attention of the legislature to the present position of the steam boilers, as being, in our opinion, dangerous to the inmates of the institution and buildings. Taking into consideration the extension of the buildings by erecting the wings, it will be necessary to accumulate greater heat, thereby taxing the boilers, which are now seven or eight years old. Your committee would recommend a removal of the boilers, some rods from the main building. They also call your attention to the inadequate means on hand to extinguish fires,

which may be remedied by a small expense of additional fire plugs, pipes, &c.

In case such improvements should be carried out an appropriation of ten thousand would be necessary. The committee differ in opinion as to the necessity of purchasing new boilers at the present time. From inquiries, they have ascertained that a suitable building might be erected, boilers re-set, necessary flues, &c., and an experiment made as to their capacity to furnish the amount of heat required, at a cost of about five thousand dollars.

On account of the great increase of price in provisions, your committee would recommend an additional appropriation for county patients, of twenty-five cents per week, making one dollar per week. The current expenses of the year will necessarily require an appropriation of eight thousand three hundred dollars. These appropriations your committee recommend as required for the continuance of the institution.

R. LAIRD, *Ch'n of Senate,*
R. BARRET, *Ch'n of House.*

Which was read and accepted.

On motion of Mr. Martin,

It was ordered, That the usual number of copies of said report be printed under the direction of the Committee for the use of the Senate.

Mr. Laird from said joint committee, reported

Also,

A bill entitled,

An act relative to the Lunatic Asylum,

Which was read for the first time by its title, and ordered to have a second reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

An act to incorporate the Lodi Manufacturing Company;

Also,

The bill entitled,

A supplement to an act entitled "an act to incorporate the Beverly Steam Power Company," approved March eighteen, eighteen hundred and fifty-one.

Also,

The bill entitled,

An act to incorporate the Bank of Elizabeth Port;

Also,

The bill entitled,

A supplement to an act entitled "An act to incorporate the Elizabethtown Savings Institution," approved March first, eighteen hundred and fifty.

Also,

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Trenton Saving Fund Society," passed the seventh day of March, eighteen hundred and forty-four,

Reported the same, severally
Without amendment.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred the report of the Commissioners appointed to report amendments to the system of Jurisprudence, &c., together with the bills accompanying the same, reported

The bill entitled,

An act to Simplify the Pleadings and Practice in Courts of Law.

Also,

The bill entitled,

A supplement to the act entitled "an act to prevent fraudulent trusts and assignments," approved March seventh, eighteen hundred and fifty.

Also,

The bill entitled,

A further supplement to the act approved April fifteenth, eighteen hundred and forty-six, and entitled "an act to prevent in certain cases the abatement of suits and reversal of judgments."

Without amendment.

The bill entitled,

An act to simplify the pleadings and practice in courts of law,

Was taken up, read a first time by its title, ordered to have a second reading.

The bill entitled,

A supplement to the act entitled "an act to prevent fraudulent trusts and assignments," approved March seventh, eighteen hundred and fifty,

Was read for the first time by its title, and ordered to have a second reading.

The bill entitled,

A further supplement to the act approved April fifteenth, eighteen hundred and forty-six, entitled "an act to prevent in certain cases the abatement of suits and reversal of judgments,"

Was read for the first time by its title, and ordered to have a second reading.

The engrossed bill entitled,

An act to change the name of the Union Presbyterian Church of Georgetown and Lambertville, in Hunterdon county,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows?

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Somers, Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill entitled,

An act to incorporate the Morristown Gas Light Company,

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,

Secretary of Senate

The engrossed bill entitled,

An act to incorporate the Lambertville Water Company,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Somers, Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to authorize the sale of perishable property transported on canals and railways, in certain cases,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Somers, Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senthe has passed said bill, and request their concurrence.

The engrossed bill entitled,

A further supplement to the act entitled "an act authorizing the removal of certain mill dams from Rahway River and its branches, within the limits of the township of Rahway and Woodbridge, in the counties of Essex and Middlesex," approved March third, eighteen hundred and fifty-four,

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Depew, Howell,

Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain——17.

NAYS—Mr. Hoxsey.—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed Joint Resolution entitled

Joint resolution relative to the purchase of Webster's Dictionary for the use of Common Schools,

Was taken up and read a third time.

Upon the question,

Shall this joint resolution pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Robertson, Somers, Smith, Swain—16.

NAYS—Mr. Hoxsey, Stults—2.

Ordered, That the President sign said joint resolution, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said joint resolution, and request their concurrence.

Mr. Laird moved that the vote by which

The bill from the House of Assembly entitled

An act to incorporate the Port Monmouth Transportation Company,

Was ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and said vote re-considered accordingly.

The same Senator then moved that said bill be re-committed to the Committee on Corporations.

Which motion was agreed to, and the bill re-committed.

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Mount Holly and Moorestown Turnpike Company," approved March twenty-fifth, eighteen hundred and fifty-two,

Was taken up, read a third time, and

On motion of Mr. A. V. Bonnell, the further consideration of the same postponed for the present.

Mr. Howell moved that the Senate do now proceed to the consideration of the special order of the day, being

The bill from the House of Assembly entitled

An act for the Suppression of Intemperance,

And the substitute for the same reported by the minority of the special committee to which said bill was referred.

Which motion was agreed to.

Said bill was then taken up, read a second time, the first five sections thereof considered and agreed to.

The sixth section thereof, as follows:

6. *And be it enacted*, That every person authorized as aforesaid, shall receive a certificate from the chosen freeholders, by whom he is authorized, giving him authority to manufacture and sell spirituous and intoxicating liquors as aforesaid, at such place within their respective county at by them shall be deemed suitable, which place shall be designated with precision in such certificate; but such certificate shall not be delivered to such person until he shall have executed and delivered to said board a bond, with two good and sufficient sureties, in a sum not less than one thousand dollars: which bond shall be in the usual legal form, conditioned that he shall in all respects conform to the provisions of law relating to the business which he is authorized as above to pursue, and shall violate no law of the

state touching the manufacture and sale of spirituous and intoxicating liquors, and if any person so authorized and bound shall commit any breach of the conditions of his bond, his certificate shall thereupon be null and void, and he shall not thereafter be authorized or permitted to manufacture or sell spirituous or intoxicating liquors,

Being under consideration,

Mr. I. Bonnell moved to amend the same by striking out in the eighth line the words "*one thousand*" and inserting in the place thereof the words "*five hundred.*"

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. I. Bonnell, Rea, Stults—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Robertson, Somers, Smith, Swain—15.

So said amendment

Was not agreed to.

Said section was then agreed to.

The seventh, eighth, ninth, and tenth sections were then agreed to.

The eleventh section thereof, as follows:

11. *And be it enacted*, That any forfeiture or penalty arising under the above section may be recovered by indictment, or by complaint made before any justice of the peace of the county in which the said offence was committed, and the forfeiture so recovered shall go to the said township, city, borough, or town, after deducting the costs of prosecution and counsel fees, and the prosecutor or complainant may be admitted as a witness in the trial; and it shall be the duty of said township committee, mayor, burgess, or other chief executive officer, or any of them, of any township, city, borough, or town, respectively, to commence an action against any person guilty of a violation of any of the provisions of this act, on being informed of the same, and being furnished with reasonable proof of the

fact by any respectable citizen of this state; and upon said action being brought, or complaint made, either party may demand a jury to try the same, whereupon the justice shall issue a venire, returnable within the days from said time, and proceed as in other cases of trial by jury,

Being under consideration,

Mr. Howell moved to amend the same by striking out between the word "*committed*" in the third line and the word "*and*" in the fifth line, the words "and the forfeiture so recovered shall go to the said township, city, borough, or town, after deducting the costs of prosecution and counsel fees: also, by striking out the word "*said*" in the seventh line.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey Laird, Martin, Robertson, Somers, Smith, Swain—14.

NAYS—Messrs. I. Bonnell, Depew, Rea, Stults—4.

So said amendments

Were agreed to.

The section as amended was then agreed to.

The twelfth, thirteenth, and fourteenth sections were considered and agreed to.

The fifteenth section, as follows:

15. *And be it enacted*, That no person shall be allowed to be a manufacturer of any spirituous or intoxicating liquors for sale or a common seller thereof, without being duly appointed or authorized as aforesaid, on pain of forfeiting, on the first conviction, one hundred dollars and costs of prosecution, and in default of payment thereof, the person so convicted shall be imprisoned sixty days in the common jail, and shall be required to give bonds in a sum not less than one thousand dollars, that he will not, within one year from such conviction, violate any law of the State concerning the manufacture or sale of spirituous or intoxicating liquors; and on the second conviction, the person

so convicted shall pay the sum of two hundred dollars and costs of prosecution, and in default of payment, shall be imprisoned four months in the common jail; if it be more than one year from the first conviction, he shall be required to give like bonds as on the first conviction; and on the third and every subsequent conviction, he shall pay the sum of two hundred dollars, and be imprisoned four months in the common jail of the county where the offence was committed; said penalties to be recovered before any court of competent jurisdiction; and whenever a default shall be had, of any recognizance arising under this act, scire facis shall be issued, returnable at the next term, and the same shall not be continued, unless for good cause, satisfactory to the court; and three several sales of spirituous or intoxicating liquors, either to different persons or to the same person, shall be sufficient to constitute a violation of this section; and delivery in or from any store, shop, warehouse, steamboat, or other vessel, or any vehicle of any kind, or any buildings or place, other than a dwelling house, with payment, or promise of payment, either express or implied, on, before, or after such delivery, shall be held to constitute a sale within the meaning of this act; and if any clerk, servant, or agent, or any other person in the employment, or on the premises of another, shall violate the provisions of this section, he shall be held equally guilty with the principal, and on conviction, shall suffer the same penalty; and where any act, in violation of the provisions of this section, has been committed by any clerk, servant, or agent, or other person as aforesaidupon the premises of another, the names of all the parties implicated, either as principal, clerk, or other person, may be included in the same complaint, warrant, or indictment, and all the parties may be tried at the same time, and judgment to be rendered accordingly; and each person so implicated and convicted, shall incur the fines and forfeitures provided for the offence: and two or more acts of violation of the provisions of this section may be alleged in the same complaint or indictment, and be tried at the same time; and conviction thereon, or on any of them, shall operate upon the defendants in the same manner as if the action had been upon separate complaints, and the convictions had at separate trials,

Being under consideration,

Mr. I. Bonnell moved to amend the same by striking out in the fourth line, the words "*one hundred*," and inserting the word "*fifty*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Mr. I. Bonnell—1.

NAYS—Messrs Alexander, (Pres.), Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—17.

So said amendment

Was not agreed to.

The same Senator moved to amend said section by striking out in the fifth line the word "*sixty*," and inserting the word "*ten*" in the place thereof.

Which motion was not agreed to.

Said section was then agreed to.

The sixteenth section was considered and agreed to.

The seventeenth section as follows—

17. *And be it enacted*, That if any three persons of good moral character, of full age, residents of the township, city, borough or town, shall, before any justice of the peace, make written complaint, under oath or affirmation, that they have reason to believe, and do believe, that spirituous and intoxicating liquors, or any mixed liquors, a part of which is intoxicating, are kept or deposited and intended for sale, by any person not authorized to sell the same, in said township, city, borough or town, within this state, under the provisions of this act, in any store, shop, warehouse, or in any steamboat or other vessel, or in any vehicle of any kind, or in any building or place in said township, city, borough or town, said justice shall issue his warrant of search to any sheriff or deputy sheriff, city marshal or deputy marshal, or to any constable or police officer, who shall proceed to search the premises described in such warrant; and if any such liquors are found therein, he shall seize the same and convey them to some proper place of security, where he shall keep them until final action shall be had thereon; and the liquors so seized, together with the implements of the traffic,

may be used in evidence against any person charged with the unlawful manufacture or sale of such liquors; but no dwelling house in which a family resides, and in which no tavern, grocery or other place of public resort is kept, shall be searched, unless one of said complainants shall make oath or affirmation that he has reason to believe, and does believe, that such liquors have been sold by the occupant thereof, or by his consent or permission, within the time of one month of the making of such complaint, and are then kept therein for sale, and shall, in his oath or affirmation, state the facts and circumstances on which such belief is founded, which facts and circumstances shall, in the judgment of the magistrate before whom complaint is made, be sufficient reasonably to induce such belief,

Being under consideration,

Mr. Chetwood moved to amend the same by striking out the word *'one,'* in the eighteenth line, and inserting the word *'two'* in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Chetwood, Cowperthwaite, Howell, Laird, Martin—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Depew, Franklin, Hoxsey, Rea, Robertson, Somers, Smith, Stults, Swain—12.

So said amendment

Was not agreed to.

Said section was then agreed to.

The eighteenth, nineteenth, twentieth, twenty first, twenty-second, twenty-third and twenty-fourth sections were then considered and agreed to.

The twenty-fifth section as follows—

25. *And be it enacted,* That if any person shall be found in public in a state of intoxication, he shall, on conviction thereof, pay a fine of ten dollars, together with the costs of prosecution, and stand committed until the judgment be complied with; and any person so found drunk or intoxicated, may be taken, without warrant, by any sheriff, constable, marshal or police officer,

before any magistrate authorized to make commitments in criminal cases, who shall examine the person thus found intoxicated as to where he obtained intoxicating liquors, and of whom, and commit him, until full disclosure be made, to the common jail of the county wherein he may be taken; and such person shall further be required, after disclosure made, and before he shall be released, to enter into recognizance, with good and sufficient surety or sureties, to appear and give evidence in any legal proceedings had under this act, upon such disclosures; but if, at such examination before the magistrate, and at said trial or trials had in consequence wholly or in part, of his disclosures, the person so found intoxicated shall testify freely, fully and fairly regarding the procurement of the liquor which produced his intoxication, the person of whom and the terms on which it was obtained, and the time and place of such receipt, and all the circumstances regarding it, then the fine and costs shall be remitted; and no evidence which he may have given, either in making such disclosures or at the trial or trials resulting therefrom, shall be used against him in any trial or proceeding whatever, except he shall swear falsely, in which case he shall be liable to indictment and punishment for perjury,

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the words *'but if,'* in the twelfth line, and inserting the word *'and'* in the place thereof; also by striking out in the seventeenth and eighteenth lines the words—*'then the fine and costs shall be remitted.'*

Which amendments were agreed to, and the section thus amended agreed to.

The twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth and thirtieth sections were considered and agreed to.

The thirty-first section as follows—

31. *And be it enacted*, That this act shall be submitted to the legal voters of this state, for their approval or disapproval, on the first Tuesday of October, Anno Domini eighteen hundred and fifty-five, when there shall be a special election held for that purpose in each of the townships, cities, wards, boroughs and towns in this state; and it shall be the duty of the

secretary of state, before the first day of September next preceding said election, to send to the clerk of each county in the state a notice of said election under this act, under his official seal and within five days after the receipt of said notice the clerk of each county shall give notice in like form to the clerk of each township, city, ward, borough or town in their respective counties, who shall give public notice of said election in the same manner as is now by law required in cases of general elections; and said election shall be held by the same officers, at the same places, and conducted in all respects as now directed by the laws of this state in cases of such general elections; and the officers of election are hereby invested with the same power, duty and authority as are provided in the election laws of this state for a general election; and on the ballots cast at said election shall be written or printed, or partly written and partly printed the words 'In favor of the act for the suppression of Intemperance,' or the words 'Against the act for the suppression of Intemperance,' or words to that effect; and the canvass of votes cast in favor of and against this act, and the statements and returns thereof, shall be made by the proper canvassing officers within the same time and in the same manner as is now provided by law for the canvass, statement and returns of elections for Governor, as near as may be; and it shall be the duty of the Governor, as soon as the same may be ascertained, to make known the result of said election by public proclamation, setting forth the number of votes cast in favor of and against this act, in each of the counties of this state.

Being under consideration,

Mr. Stults moved that said section be stricken out.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Laird, Robertson, Stults—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Rea, Roberts, Somers, Smith, Swain—14.

So said motion
Was not agreed to.

Said section was then agreed to.

The remaining section of said bill was then considered and agreed to.

Mr. Howell moved that the vote by which the seventeenth section was agreed to,

Be re-considered;

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator moved to amend said section by striking out the word "*one*" in the eighteenth line, and inserting the word "*two*" in the place thereof,

Which motion was agreed to.

The section as amended was then agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, the amendments were ordered to be engrossed and the bill to have a third reading.

On motion of Mr. I Bonnell

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Allen presented a remonstrance from Jacob M. Bunting, and others, citizens of the township of Chesterfield, in the county of Burlington, against dividing said township,

Which was laid on the table without reading.

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to incorporate the Gloucester County Bank, at Woodbury;

And find the same to be correctly engrossed.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly entitled,

An act to incorporate the Port Monmouth Transportation Company;

Also,

The bill from the House of Assembly entitled

An act to incorporate the Farmers and Oystermans Independent Steamboat Association,

Reported the same, severally,
With amendments.

The engrossed bill entitled,

Supplement to an act entitled "An act respecting apprentices

and servants, approved April tenth, eighteen hundred and forty-six,

Was taken up, and having been previously read a third time

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Laird, Rea, Somers—8.

NAYS—Messrs. Alexander, (Pres.), Depew, Franklin, Howell, Martin, Robertson, Swain—7.

The President laid before the Senate the following communication:

TRENTON, February 13, 1855.

Hon. William C. Alexander,
President of the Senate of New Jersey,

SIR:

At the request of my associates on the Law Commission, I enclose herewith a bill in relation to the Orphan's Court, which as just been completed, and will thank you to lay the same before the Senate.

We have not had time to prepare a report explanatory of the Bill, and as it is important that it should be printed for public examination at as early a day as practicable, we have concluded to present it without any accompanying report. We trust, however, that the bill will of itself, without any additional explanations, commend itself to the favorable consideration of the Legislature.

We expect to report some other short bills during the present week.

Very respectfully,
Your obt. serv't.
MARTIN RYERSON.

Which was read, and the Bill accompanying the same,

Entitled

A further supplement to the act entitled "An act respecting the Orphans' Court and the power and authority of surrogates,"

Taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The engrossed bill entitled,

A supplement to an act entitled "An act to incorporate the Sterling Zinc Company," approved March three, eighteen hundred and fifty-four;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Rea, Robertson, Somers, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senthe has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled,

An act to incorporate the Bergen Land Improvement Company;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell,

Laird, Martin, Rea, Roberts, Robertson, Somers, Swain——16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly, entitled

An act to incorporate the Raritan Bay and Bergen Iron Works Railroad Company,

Was taken up, and having been read a third time.

Upon the question,

Shall this bill from the House of Assembly, pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, Chetwood Cowperthwaite, Howell, Martin, Roberts, Smith—7.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Depew, Franklin, Laird, Rea, Robertson, Somers, Stults, Swain 11.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The engrossed bill entitled,

An act relative to the office of Bank Superintendent,

Was taken up and read a third time.

Upon the question,
Shall this engrossed bill pass?
It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Stults, Swain——11.

NAYS—Messrs. Alexander, (Pres.) Chetwood, Dapew, Hoxsey, Laird, Robertson, Somers—7.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Hackettstown Bank of the county of Warren, at Hackettstown,

Was taken up, and having been read a third time,

Upon the question,

Shall this engrossed bill pass ?

It was decided in the affirmative, as follows?

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, Somers, Smith—6.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Freehold Banking Company,

Was taken up, and having been read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain —12.

NAYS—Messrs. Alexander, (Pres.), Cowperthwaite, Depew, Hoxsey, Robertson, Somers, Smith—7.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The special order for the day being the substitute for Assembly bill No. 10, reported by the minority of the special committee to which said bill was referred, and entitled,

An act for the Suppression of the manufacture and sale of Intoxicating Liquors as a Beverage,

Was taken up, and

On motion of Mr. Allen, the further consideration of the the same postponed for the present.

Mr. Hoxsey, from the committee on the Judiciary, to which was referred

The bill entitled,

A further supplement to the act entitled "An act respecting the Orphans' Court and the power and authority of surrogates,"

Reported the same, without amendment.

On motion of Mr. Hoxsey,

It was ordered, That five hundred copies of said bill be printed for the use of the Senate.

On motion of Mr. Allen,

The engrossed bill entitled,

An act to incorporate the Gloucester County Bank, at Woodbury,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Cowperthwaite, Depew, Hoxsey, Robertson, Somers—6.

Ordered, That the President sign said bill, the Secretary carit to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill entitled,

An act further supplementary to an act entitled "An act establishing a Militia System," approved April seventeen, eighteen hundred and forty-six,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

Mr. Stults offered the following resolution:

Resolved, That a Thermometer be obtained for the Senate Chamber, in order that we can keep a perfect temperature,

Which was read.

Mr. Allen moved to amend the same by striking out all after the word "*resolved*," and inserting the following words, "that the Sergeant-at-arms be authorized to purchase a thermometer, that he may be enabled to regulate the temperature of the Senate Chamber."

Mr. Howell moved to lay the resolution on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), I. Bonnell, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin—8.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Depew, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—11.

So said motion was not agreed to.

The amendment proposed by Mr. Allen to said resolution was then agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, as amended, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Depew, Hoxsey, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—12.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Cowperthwaite, Franklin, Howell, Laird, Robertson—7.

So said resolution

Was agreed to.

Mr. I. Bonnell gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to provide for the improvement of the dam at Scudder's Falls, in the river Delaware.

Mr. Roberts gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A supplement to the act entitled "An act to incorporate the White Horse Turnpike Company;"

Also,

A bill entitled,

An act to prevent the banks of this State from issuing notes of a less denomination than five dollars, and prevent the circulation of small notes of other States.

Mr. Smith gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A further supplement to an act entitled "An act for the better relief and employment of the Poor of the county of Salem."

On motion of Mr. Hoxsey,

The bills reported by the Commissioners to revise the system of jurisprudence,

Severally entitled,

An act to simplify the pleadings and practice in courts of law,

A supplement to the act entitled "an act to prevent fraudulent trusts and assignments," approved March seventh, eighteen hundred and fifty,

A further supplement to the act approved April fifteenth, eighteen hundred and forty-six, entitled "an act to prevent in certain cases the abatement of suits and reversal of judgments,"

Were made the special order of the day for to-morrow.

On motion of Mr. Cowperthwaite,

The Senate then adjourned.

WEDNESDAY, February 14, 1855.

At 10 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of the previous day was read and approved.

Mr. Chetwood presented a petition from Thomas Corrigan and others, citizens of the county of Essex, asking for the passage of a supplement to the charter of the Newark Plank Road and Ferry company, authorizing said company to build a bridge over the Passaic River at their Ferry, with a draw having two openings of not less than sixty feet each in width .

Which was read, and ordered to lie on the table.

The same Senator presented a petition from William C. Marsh and others, citizens of the same county, upon the same subject.

Which was ordered to lie on the table, without reading.

Mr. Robertson presented a petition from Andrew Van Horn, and others, citizens of the county of Hudson, upon the same subject.

Which was ordered to lie on the table, without reading.

Mr. Depew presented a petition from Richard Jackson and others, citizens of the county of Hudson, on the same subject-

Which was ordered to lie on the table without reading.

Mr. A. V. Bonnell presented a remonstrance from Charles Woolverton and others against the granting of any privilege to the 'Trenton Water Power Company,' or to any corporation or individual to obstruct the accustomed use of the river Delaware, believing that such obstruction would be a serious public injury and nuisance.

Which was read and referred to the Committee on Corporations.

Mr. Chetwood presented a petition from J. N. Ralston and others, residents of the townships of Westfield, Plainfield, Union, New Providence, Elizabeth, Rahway and Springfield, asking that said townships may be set off from the county of Essex into a new county to be called the county of Union.

Which was ordered to lie on the table without reading.

The same Senator presented a petition from J. S. McPherson

and others, residents of the same townships, upon the same subject.

Which was ordered to lie on the table without reading.

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to authorize a change in the artillery carriages of the State Arsenal, and to attach percussion locks,

Also,

The bill entitled,

A further supplement to an act entitled "An act to incorporate the Sussex Zinc and Copper Mining and Manufacturing Company," approved February twenty-third, eighteen hundred and forty-eight,

Also,

The amendments made in the Senate to

The bill from the House of Assembly, entitled

An act to incorporate the New Jersey Express Company;

Also,

The re-engrossed bill entitled,

An act to incorporate the Great and Little Egg Harbor Turnpike Road Company,

And find the same to be correctly engrossed.

Mr. Chetwod moved a suspension of so much of the twenty-third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to revise and amend the charter of the city of Newark.

Which was read a first time by its title, ordered to have a a second reading, and referred to the Committee on Municipal Corporations.

Mr. Allen gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act for the incorporation of vessel building associations.

Mr. Hoxsey presented a remonstrance from Jonathan Pickel and others, citizens of the county of Hunterdon, against the re-chartering of any Banks.

Which was read.

The same Senator asked leave to withdraw said remonstrance from the files of the Senate, for the purpose of presenting it in the House of Assembly.

Which was granted, and the remonstrance withdrawn.

The re-engrossed bill entitled,

An act to incorporate the Great and Little Egg Harbor Turnpike Road Company,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The re-engrossed bill entitled,

An act to incorporate the New Jersey Ocean Steam Navigation Company,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass ?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—Mr. Alexander, (Pres.)—1.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made thereto in the House of Assembly, and has ordered said bill to be re-engrossed, and has passed the same.

The engrossed bill entitled,

An act to incorporate the Camden and Blackwoodtown Turnpike Company,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass ?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I.

Bonnell, Chetwood, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill and request their concurrence.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 14, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly have passed

The bill entitled,

An act to establish the city of Elizabeth;

Also,

The bill entitled,

An act to authorize the Chosen Freeholders of Bergen county to construct a bridge over the Hackensack River;

Also,

The bill entitled,

An act to widen and regulate the Draws in the Bridges over the Passaic River;

Also,

The bill entitled,

An act to set off from the township of Pequannock, in the county of Morris, a new township, to be called the township of Union.

Also,

The bill entitled,

A supplement to an act entitled 'an act concerning the Firemen of Jersey City,' passed January twenty-seventh, one thousand eight hundred and fifty three,

Also,

The bill entitled,

An act regulating the speed of steamboats and other vessels propelled by steam, on the Raritan River.

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

Mr. Hoxsey, from the Comnittee on the Judiciary, to which was referred the petition of T. J. Fox Alden, presented the following report:

The Committee on the Judiciary, to which has been referred the petition of T. J. Fox Alden, asking that the Legislature subscribe to the Index to the Reports of the Decisions of the Supreme Court of the United States,

Report.

That upon inspection of this work by your committee, they can see no reason why the public patronage of the state should be given to this work, any more than the same should be to other works of the same character. Your committee can in fact see no reason for a public appropriation in aid of any merely individual enterprise or speculation.

Your committee would respectfully submit to the consideration of the Senate, that appropriations of this kind are becoming too frequent, to the great injury and depletion of the public treasury.

THOS. D. HOXSEY,
Chairman of said Committee.

Which report was read and accepted.

The bill from the House of Assembly, entitled

An act to incorporate the New Jersey Express Company,
And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The engrossed bill entitled,

An act to authorize a change in the artillery carriages at the State Arsenal, and to attach percussion locks,

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Depew, Hoxsey, Martin, Somers, Smith—9.

NAYS—Messrs. Alexander, (Pres.), I. Bonnell, Cowperthwaite, Franklin, Howell, Laird, Rea, Roberts, Robertson, Swain—10.

The bill from the House of Assembly entitled,

An act to incorporate the Raritan Marine Insurance Company,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—12.

NAYS—Messrs. Alexander, (Pres) Bramhall, Hoxsey, Laird, Rea, Robertson, Somers—7.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

Mr. Rea moved that the vote by which

The bill entitled,

An act to authorize a change in the artillery carriages at the State Arsenal, and to attach percussion locks,

Was disagred to on its final passage,

Be re-considered;

Which motion was agreed to, and the vote re-considered and the bill ordered to stand upon its third reading.

Mr. Hoxsey moved that the Senate now proceed to the consideration of the special order for the day, being the bills reported by the Commissioners to revise the System of Jurisprudence severally entitled,

An act to simplify the pleadings and practice in courts of law,

A supplement to the act entitled "an act to prevent fraudulent trusts and assignments," approved March seventh, eighteen hundred and fifty,

And

A further supplement to the act approved April fifteenth, eighteen hundred and forty-six, entitled "an act to prevent in certain cases the abatement of suits and reversal of judgments."

Which motion was agreed to, and

The bill entitled,

An act to simplify the pleadings and Practice in Courts of Law,

Taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

Mr. A. V. Bonnell, chairman of the Joint Committee on Treasurers Accounts, presented the following report:

(For Report see Appendix.)

Which report was read and accepted.

On motion of Mr. Allen,

It was ordered, That the usual number of copies of said report be printed under the direction of said Joint Committee for the use of the Senate.

Mr. Robertson moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to authorize the "Trustees of the incorporated district of Chester" to sell their school house and lot.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Roberts, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to the act entitled "An act to incorporate the White Horse Turnpike Company ;"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill entitled,

An act to incorporate the Great and Little Egg Harbor Turnpike Road Company,

Also,

The bill entitled,

An act to incorporate the New Jersey Ocean Steam Navigation Company,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each :

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,

Secretary of Senate.

On motion of Mr. Allen

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Allen presented a petition from J. A. Williams and others, residents of the county of Burlington in favor of the supplement to the charter of the Mount Holly and Moorestown Turnpike Company, authorizing them to abandon part of their road,

Which was ordered to lie on the table, without reading.

The same Senator presented a remonstrance from Josiah Adams and others, citizens of the same county, against the passage of the supplement to the charter of the said Mount Holly and Moorestown Turnpike Company, authorizing them to abandon a part of their road,

Which was ordered to lie on the table without reading.

The President laid before the Senate the following communication:

TRENTON, February 14, 1855.

Mr. President:

The New Jersey State Agricultural Society respectfully requests the attendance of the Legislature at their meeting this evening, at 7 o'clock.

J. HATFIELD FRAZEE,

Corresponding Secretary.

To Hon. William C. Alexander.

Which was read, and

On motion of Mr. Martin,

The invitation was accepted

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled,

An act to incorporate the Bordenton Savings Institution;

Also,

The re-engrossed bill entitled,

An act to incorporate the Indigent Widows' and Single Women's Home Society of Trenton;

Also,

The bill entitled,

A supplement to an act to incorporate the Lumberville Delaware Bridge Company," passed February twelfth, eighteen hundred and thirty-six;

And find the same to be correctly engrossed

The re-engrossed bill entitled,

An act to incorporate the Indigent Widows' and Single Women's Home Society of Trenton,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Martin, Somers, Smith, Stults, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill,

and has ordered the same to be re-engrossed, and has passed the same.

The re-engrossed bill entitled,

An act to incorporate the Bordentown Savings Institution,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—14.

Nays—Messrs. A. V. Bonnell, Bramhall, Depew—3.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The engrossed bill entitled,

A supplement to "An act to incorporate the Lumberville Delaware Bridge Company," passed February twelfth, eighteen hundred and thirty-six,

Was taken up, and having been read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senthe has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Mount Holly and Moorestown Turnpike Company,'' approved March twenty-fifth, eighteen hundred and fifty-two,

Was taken up, read a third time,

Upon the question,

Shall this bill from the House of Assembly, pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith Stults—12.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Rea, Robertson, Somers, Swain—7.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the Houseof Assembly without amendment.

The bill from the House of Assembly entitled

An act to incorporate the Evangelical Lutheran Churches of the state of New Jersey,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnel, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Rea, Somers, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.), Depew, Hoxsey, Martin, Roberts—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

The bill from the House of Assembly entitled,

An act to authorize the Chosen Freeholders of Bergen county to construct a bridge over the Hackensack River;

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly entitled,

A supplement to an act entitled 'an act concerning the Firemen of Jersey City,' passed January twenty-seventh, one thousand eight hundred and fifty three;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly, entitled

An act to set off from the township of Pequannock, in the county of Morris, a new township, to be called the township of Union.

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Municipal Corporations.

The bill from the House of Assembly entitled

An act to widen and regulate the Draws in the Bridges over the Passaic River;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly entitled,

An act regulating the speed of steamboats and other vessels propelled by steam, on the Raritan River.

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly entitled,

An act to establish the city of Elizabeth;

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Roberts, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to prevent the issue or circulation of small bank notes.

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The same Senator, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to restore the navigation of Little Timber Creek, in the township of Union, in the county of Camden.

Which was read for the first time by its title, and ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to set off from the townships of New Hanover, Springfield and Chesterfield, in the county of Burlington, a new township to be called the township of Oakland.

Which was read for the first time by its title, and ordered to

have a second reading, and referred to the Committee on Municipal Corporations.

The special order of business for the day, being the consideration of the bills reported by the commissioners to revise the system of jurisprudence,

Was called up, and

The bill entitled,

A supplement to the act entitled "an act to prevent fraudulent trusts and assignments," approved March seventh, eighteen hundred and fifty,

Was taken up, read a second time, the first and only section thereof considered, and agreed to, the bill ordered to be engrossed, and have a third reading.

The remaining bill entitled,

A further supplement to the act approved April fifteenth, eighteen hundred and forty-six, and entitled "an act to prevent in certain cases the abatement of suits and reversal of judgments,"

Was taken up, read a second time, considered by sections, amended and agreed to, and was ordered to be engrossed and have a third reading.

The bill entitled,

An act to create the county of Union,

Was taken up, read a second time, considered by sections and agreed to.

Mr. Chetwood moved that the vote by which the sixth section was agreed to,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Said section was then amended and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

Supplement to the act entitled "An act respecting Coroners, approved April seventeenth, eighteen hundred and forty-six.

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

A supplement to the act entitled, "An act to incorporate the Warren Railroad Company,"

Which was postponed some days since, pending the consideration of the preamble thereof,

Was taken up.

Mr. Allen moved that the vote by which the first section thereof was agreed to,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator moved to amend said section by adding at the end thereof the following:

"*Provided always*, That the said Railroad Company shall not, by virtue of any authority vested in them by the original act, or under this supplement, build or construct their Railroad within two hundred feet of any church edifice, without the consent of the authorized officers of the church, made in writing.

Mr. Chetwood moved to amend said amendment by adding at the end thereof the following words:

Provided, That no such alteration shall be made by virtue of this act as to injuriously affect any church or burying ground

Pending the consideration of the same,

On motion of Mr. Allen, the further consideration of said bill was postponed until to-morrow morning.

The bill entitled

A supplement to an act entitled "An act to incorporate the Elizabethtown Savings Institution," approved March first, eighteen hundred and fifty,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Bordentown Savings Institution,

Also,

The bill entitled,

An act to incorporate the Indigent Widow's and Single Women's Home Society, of the city of Trenton;

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

On motion of Mr. Hoxsey,

The Senate then adjourned.

THURSDAY, February 15, 1855.

At 10 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of the previous day was read and approved.

Mr. Smith presented a petition from John Johnson, and others, owners and representatives of owners of meadows in the county of Salem, in favor of the passage of a law providing means for draining the meadows or low lands on Salem Creek in said county,

Which was read and referred to the Committee on the Judiciary.

The same Senator presented a remonstrance from Jacob T. Sharp, and others, citizens of the county of Salem, against the passage of any such law,

Which was read and referred to the Committee on the Judiciary.

The same Senator presented a remonstrance from Samuel P. Carpenter and others, citizens of the same county upon the same subject,

Which was referred to the committee on the Judiciary, without reading.

Mr. Rea presented a remonstrance from Reuben Bratswan, and others, citizens of the county of Hunterdon, against the passage of any law granting the privilege to obstruct the accustomed use of the river Delaware to the Trenton Water Power Company, or to any corporation or individual, believing that such obstruction would be a serious public injury and nuisance,

Which was referred to the Committee on Corporations, without reading.

The same Senator presented a remonstrance from Levi Sinclair and others, citizens of the same county, upon the same subject,

Which was referred to the committee on Corporations, without reading.

The same Senator presented a remonstrance from William Hagur and others, citizens of the same county, upon the same subject,

Which was referred to the Committee on Corporations, without reading.

Mr. A. V. Bonnell presented a remonstrance from Thomas P. Tuisman and others, citizens of the same county, upon the same subject,

Which was referred to the Committee on Corporations, without reading.

Mr. Bramhall presented a petition from Myndert Van Horn and others, citizens of the county of Hudson in favor of the passage of a supplement to the charter of the Newark Plank Road and Ferry Company, authorizing said company to build a bridge over the Passaic River at their Ferry, with a draw having two openings of not less than sixty feet each, in width,

Which was ordered to lie on the table without reading.

Mr. Chetwood presented a petition from H. A. Caneron and others, citizens of Jersey City, in the county of Hudson, representing that a great public necessity exists for the straightening and shortening of the route of the railroad between Newark and New York by a bridge across the Passaic river at Market street, and a more direct line of road to the junction of the Morris and Essex and New Jersey Railroads at East Newark, and praying the passage of a law authorizing said improvement,

Which was ordered to lie on the table without reading.

Mr. Stults presented a petition from Abraham V. Schenck and others, citizens of New Brunswick, upon the subject,

Which was read and referred to the Committee on Corporations.

The same Senator presented a petition from George A. Vroom and others, citizens of the same place, upon the same subject,

Which was referred to the Committee on Corporations without reading.

Mr. Hoxsey presented an affidavit of John H. Stephens in relation to the obstruction of the navigation of the Passaic River, accompanied by a remonstrance against any further obstruction being permitted by the building any more bridges over the same below the present railroad bridge,

Which was read and referred to the Committee on Corporations.

Mr. Allen presented a petition from William S. Lippincott and others, of the county of Atlantic, in favor of granting a pension to Mary Carter, widow of John Carter, deceased, for the revolutionary services of her husband,

Which was read and referred to the Committee on Claims and Pensions.

Mr. Chetwood presented a memorial from William Wright, John H. Stephens, and Joel W. Condit, in relation to the building of a bridge by the New Jersey Railroad and Transportation Company, over the Passaic River at the foot of Market street, Newark; and praying that the Legislature will refrain from permitting said bridge or any other bridge to be built across said river below the present bridge of said Railroad Company,

Which was ordered to lie on the table, without reading.

Mr. Robertson presented a petition from the Trustees of the Chester Incorporated School District, in the county of Morris, asking for the passage of a law authorizing said Trustees to sell and give a title for the lot of land upon which their Academy stands,

Which was ordered to lie on the table without reading.

Mr. Hoxsey presented the annual report of the Paterson Savings' Bank, as follows:

To the Honorable, the Senate
And General Assembly, of the State of New Jersey:

The Managers of the Paterson Savings' Bank, in obedience to the provisions of their charter, report that

There is now owing to depositors, the sum of	$51,251 99
Surplus account,	384 30
	$51,636 29

And that there is invested in Bond and Mortgage,	$6,400 00
Stocks, &c., as per charter,	43,500 00
Treasurers' hands,	1,530 72
Expense account,	205 57
	$51,636 29

R. CARRICK, *President*,
WM. GLEDHILL, *Secretary*.

Paterson Savings' Bank, Feb. 10, 1855.

Which was ordered to be entered upon the journal, without reading.

Mr. Chetwood presented a petition from the Warren Railroad Company, asking the passage of a law granting said company the privilege of constructing a temporary road over the Vanness Gap Mountain, to be used until said company can complete their Tunnel, together with an extension of time to complete their Tunnel,

Which was read and ordered to lie on the table.

Mr. Bramhall presented an affidavit of Selah Hill and others, Engineers, in relation to the curve of the New Jersey Railroad and Transportation Company, at Newark, setting forth that the straightening of the line of said road, and a new bridge across the Passaic River at Market street would be of great advantage to the travelling and transporting community,

Which was ordered to lie on the table, without reading.

Mr. Laird moved that the Senate do now take up for con-

sideration, the concurrent resolution from the House of Assembly, relative to adjourning *sine die*, on Saturday the 17th of March,

Which was laid on the table sometime since.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Bramhall, Cowperthwaite, Depew, Hoxsey, Laird, Rea, Robertson, Somers—8.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Martin, Smith, Stults, Swain—11.

So said motion was not agreed to.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

A supplement to the act entitled "An act to incorporate the White Horse Turnpike Company;"

Reported the same,
Without amendment.

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The amendments made in the Senate to

The bill from the House of Assembly, entitled

An act for the Suppression of Intemperance,

And find the same to be correctly engrossed.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate No. 13, entitled,

An act to incorporate the Indigent Widows' and Single Women's Home Society of Trenton;

Also,

Senate No. 40, entitled,

An act to incorporate the Bordenton Savings Institution;

Also,

Senate No. 33, entitled,

An act to incorporate the New Jersey Ocean Steam Navigation Company,

Also,

Senate No. 23, entitled,

An act to incorporate the Great and Little Egg Harbor Turnpike Road Company,

Also,

Senate No. 5, entitled,

An act to incorporate the Morristown Gas Light Company,

Also,

Senate No. 12, entitled,

A supplement to the act entitled an act to incorporate the Millstone and New Brunswick Railroad," passed the twenty-seventh of February, eighteen hundred and thirty-seven;

DANIEL D. DEPEW,
Ch'm of said Committee.

February 15, 1855.

Mr. Hoxsey offered the following resolution:

Resolved, That the State Treasurer furnish immediately the usual annual statements of the several Banks of this state, in order that the same may be published for the information of the Legislature.

Which was read and agreed to.

The same Senator, from the committee on the Judiciary, to which was referred

The bill entitled,

An act concerning Taxes;

Also,

The bill entitled,

An act to repeal an act entitled "a further supplement to the act entitled an act against usury," approved April tenth, eighteen hundred and forty-six, which said supplement was approved March second, eighteen hundred and fifty-four,

Also,

The bill entitled,

Supplement to the act entitled "an act for the relief the state of New Jersey in relation to the estate of John G. Leake, deceased," passed the fifteenth day of March, in the year of our Lord one thousand eight hundred and thirty-seven,

Also,

The bill entitled,

An act to authorize the "Trustees of the incorporated district of Chester" to sell their school house and lot.

Also,

A Joint Resolution entitled

Joint resolution relative to the early records of the supreme, court.

Reported the same, severally,
Without amendment.

Mr. Rea, from the Committee on Municipal Corporations, to which was referred

The bill from the House of Assembly entitled,
An act to establish the city of Elizabeth;

Also,

The bill from the House of Assembly, entitled

An act to set off from the township of Pequannock, in the county of Morris, a new township, to be called the township of Union.

Also,

The bill entitled,

An act to divide the township of Mansfield, in the county of Warren, and to set off a new township in said county, to be called the township of Beattystown.

Also,

The bill entitled,

An act to revise and amend the charter of the city of Newark.

Reported the same, severally,
Without amendment.

Mr. Somers moved that the vote by which

The bill entitled,

Supplement to the act entitled "An act respecting Coroners, approved April seventeenth, eighteen hundred and forty-six,

Was ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Mr. Laird moved that the vote by which the second section of said bill was agreed to,

Be re-considered;

Which motion was agreed to, and the vote re-considered accordingly.

Said section was then amended and agreed to, and the bill ordered to be engrossed to be engrossed and have a third reading.

The bill entitled

A supplement to the act entitled, "An act to incorporate the Warren Railroad Company,"

Which was postponed yesterday, pending the consideration of the first section thereof,

Was taken up.

Mr. Allen moved that the further consideration of said bill be indefinitely postponed.

Mr. Chetwood moved to amend said motion by postponing the further consideration of said bill until to-morrow morning.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Somers, Smith—11.

NAYS—Messrs. Allen, A. V. Bonnell, Depew, Hoxsey, Rea, Roberts, Robertson, Stults, Swain—9.

So said amendment was agreed to, and the further consideration of the bill postponed accordingly.

The bill entitled,

An act for the promotion of the agricultural interests of this state,

Was taken up, read a second time, the first and only section thereof considered, and agreed to, the bill ordered to be engrossed, and have a third reading.

The bill entitled,

A supplement to the act entitled "an act to incorporate the Hoboken Land and Improvement Company, passed the twenty-first day of February, eighteen hundred and thirty-eight;

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Lodi Manufacturing Company;

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to provide means for the draining of meadows and low-lands, on Salem Creek, in the county of Salem,

Was taken up, read a second time, considered by sections, amended and agreed to, and was ordered to be engrossed and have a third reading.

On motion of Mr. Laird,

The Senate then adjourned.

At 3 o'clock the Senate met.

The bill from the House of Assembly, entitled,

An act for the suppression of Intemperance,
With the amendments made thereto in the Senate,

Was taken up upon its third reading.

Mr. Howell moved to amend said bill by striking out the six teenth section of the same—and asked the unanimous consent of the Senate thereto.

Which motion was not agreed to.

The same Senator then moved that the vote by which the amendments to said bill were ordered to be engrossed and the bill to have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator moved that said bill and the amendments made thereto, be re-committed to the special committee.

Which motion was agreed to, and the bill re-committed accordingly.

The engrossed bill entitled,

A further supplement to an act entitled "An act to incorporate the Sussex Zinc and Copper Mining and Manufacturing Company," approved February twenty-third, eighteen hundred and forty-eight,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Rea, Robertson, Somers, Smith, Swain——16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. I. Bonnell, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to provide for the improvement of the dam in the river Delaware, at Scudder's Falls,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Bramhall, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A further supplement to the act entitled "an act to incorporate Jersey City," approved the eighteen day of March, eighteen hundred and fifty-one,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Roberts gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A supplement to an act entitled "An act to authorize the inhabitants of the township of Morris, in the county of Morris, to vote by ballot at their town-meetings;" passed February twenty-third, eighteen hundred and forty-three.

Mr. I. Bonnell gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A supplement to an act entitled "An act to incorporate the New Jersey Exploring and Mining Company," approved February fifteenth, one thousand eight hundred and forty-nine, and a supplement thereto, approved February twelfth, one thousand eight hundred and fifty-two.

The bill from the House of Assembly entitled,

An act to incorporate the Farmers and Oystermans Independent Steamboat Association,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill from the House of Assembly, entitled

An act to set off from the township of Pequannock, in the county of Morris, a new township, to be called the township of Union.

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 15, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly have passed

The bill entitled,

An act to incorporate the Ocean Port Steamboat Company;

Also,

The bill entitled,

An act to incorporate the Chancery of the Order of United Americans of the State of New Jersey;

Also,

The bill entitled

An act to incorporate the Mount Holly and Pemberton South Turnpike Road Company;

Also,

The bill entitled,

An act to incorporate the Jefferson Quarry Company;

Also,

The bill entitled,

An act to incorporate the Burlington and Jacksonville Turnpike Company;

Also,

The bill entitled,

An act for the relief of the Methodist Episcopal Church of Middletown Point, in the township of Raritan, in the county of Monmouth;

Also,

The bill entitled,

An act to renew and re-establish an act entitled "An act to incorporate tne Mount Holly and Camden Railroad Company," approved February eleventh, eighteen hundred and forty-eight, and supplemental thereto;

Also,

The bill entitled,

An act to incorporate "the Clinton Iron Mining and Manufacturing Company;

Also,

The bill entitled,

A supplement to an act entitled "An act to incorporate the town of Belvidere," passed March nineteenth, eighteen hundred and forty-five;

Also,

The bill entitled,

An act to incorporate the Odd Fellows' Hall Association, of Stewartsville, New Jersey;

Also,

The bill entitled,

An act to vacate part of Fulton street, as laid out in the plan of Pavonia, in the county of Camden;

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill from the House of Assembly, entitled

A further supplement to the act entitled "an act to establish and regulate Pilots for the ports of Jersey City and Perth Amboy, by way of Sandy Hook," approved February eighth, eighteen hundred and thirty-seven,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The Joint Resolution from the House of Assembly, entitled

Joint Resolution relative to the appointment of Commissioners to represent the State, at the French National Exhibition,

Was taken up, read a second time, considered, amended and agreed to, the amendments ordered to be engrossed, and the Joint Resolution to have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate "the Elizabethtown Gas Light Company,"

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

A supplement to an act entitled "An act to incorporate the Newark Plank Road and Ferry Company," approved February twenty-fourth, eighteen hundred and forty-nine,

Was taken up and read a second time.

The first section thereof, as follows:

1. BE IT ENACTED, *by the Senate and General Assembly of the State of New Jersey*, That the said Newark Plank Road and Ferry Company be, and they are hereby authorized and invested with all the rights and powers necessary and expedient to build and construct a bridge across the Passaic river, upon or

near the line of said plank road made pursuant to the act of of which this is a supplement,

Being under consideration,

Mr. Hoxsey moved to amend the same by adding at the end thereof, a proviso, as follows:

"*Provided always*, That the payment or tender of payment of all damages resulting from the erection of said bridge to all and every of the wharf and property owners on said river, be made before the said company or any person or persons under their direction or employ, shall commence the erection of said bridge; and in case the said company or its agents cannot agree with said owner or owners as to the amount of damage as aforesaid, then the amount of damage to the property of said wharf and land owners or their businesss connected therewith, shall be ascertained and determined in the manner provided in the ninth section of the act to which this is a supplement.

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Cowperthwaite, Howell, Hoxsey, Rea, Robertson, Swain, Somers—9.

NAYS—Messrs Alexander, (Pres.), Bramhall, Chetwood, Depew, Franklin, Laird, Martin, Smith, Stults—9.

So said amendment

Was not agreed to.

Said section was then agreed to.

The second section of said bill, as follows:

2. *And be it enacted*, That the bridge across the Passaic river shall be built with a draw that shall have two openings, of at least sixty feet each in width, for the free passage of such vessels as shall pass up and down said river; and the said draw shall be constructed with piles and piers on each side and in the centre, as near as may be, where the channel of said river runs and for the safety of navigators, a light shall be kept and maintained at said draw exery night; and the said company shall

keep, or cause to be kept, at the said bridge, a careful person to open the said draw for the free passage of vessels; and for every wilful neglect in opening said draw when necessary for the passage of such vessels, the said company shall forfeit the sum of twenty-five dollars, to be recovered by action of debt before any court of competent jurisdiction, and shall also be liable to an action for damages at the suit of the party aggrieved,

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out in the second line thereof the word "*sixty*" and inserting the words "*one hundred*" in the place thereof.

Pending the consideration of the same,

Mr. Hoxsey moved that the further consideration of said bill be postponed until to-morrow morning.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, Hoxsey—2.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Rea, Robertson, Smith, Stults, Swain—14.

So said motion was not agreed to.

The consideration of the amendment proposed to the second section was then resumed.

The ayes and nays being demanded and ordered upon the question of agreeing thereto, were as follows:

AYES—Messrs. Hoxsey, Rea—2.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Martin, Robertson, Somers, Smith, Stults, Swain—15.

So said amendment was not agreed to.

Mr. Hoxsey moved to amend said section by striking out

the word *'sixty'* in the second line, and inserting the word *'seventy-five'* in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.), Allen, Hoxsey, Martin, Rea, Somers—6.

NAYS—Messrs. A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Robertson, Smith, Stults, Swain—12.

So said amendment was not agreed to.

Said section was then agreed to.

The third and fourth sections were then considered and agreed to.

Mr. Chetwood offered a new section, to be called section five, as follows—

5. *And be it enacted*, That it shall not be lawful to erect the bridge mentioned in the first section of this supplement until the consent thereto in writing of 'The Proprietors of the Bridges over the Rivers Passaic and Hackensack,' under their common seal, shall be filed in the office of the Secretary of State; and that the giving of such consent shall not, except as to the said bridge so constructed, be construed, held or deemed in any manner to strengthen or impair any rights or privileges which the said 'The Proprietors of the Bridges over the Rivers Passaic and Hackensack' may possess in virtue of an act for building bridges over the Rivers Passaic and Hackensack, and for other purposes therein mentioned, passed November twenty-fourth, seventeen hundred and ninety, and the contract and agreement for building said bridges, entered into in pursuance of said act, being dated the seventeenth day of February, seventeen hundred and ninety-three, but the same shall be and remain of the same force and effect as if this act had not been passed.

Mr. Hoxsey moved to amend said section by adding at the end thereof a proviso as follows—

Provided, That such assent shall not be binding and valid until the same shall receive the assent of all the stockholders and proprietors of the Bridges over the said rivers.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Hoxsey, Rea, Robertson, Somers—6.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Smith, Stults, Swain—12.

So said amendment was not agreed to.

Said section was then agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

Mr. Howell, from the special committee to which was referred

The bill from the House of Assembly, entitled

An act for the Suppression of Intemperance,
With the amendments made thereto in the Senate,

Reported the same,
Without amendment.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

An act to provide for the improvement of the dam at Scudder's Falls, in the river Delaware,

Reported the same,
Without amendment.

The bill from the House of Assembly entitled,

An act to incorporate the Burlington and Jacksonville Turnpike Company,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

An act to incorporate the Jefferson Quarry Company,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The bill from the House of Assembly entitled,

An act to incorporate the Mount Holly and Pemberton South Turnpike Road Company,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

An act for the relief of the Methodist Episcopal Church of Middletown Point, in the township of Raritan, in the county of Monmouth,

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly entitled

An act to incorporate the Clinton Iron Mining and Manufacturing Company,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Odd Fellows' Hall Association, of Stewartsville, New Jersey,

Was taken up, read for the first time by its title, and ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled

An act to incorporate the Ocean Port Steamboat Company,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

An act to incorporate the Chancery of the Order of United Americans of the State of New Jersey,

Was taken up, read for the first time by its title, and ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

An act to vacate part of Fulton street, as laid out in the plan of Pavonia, in the county of Camden,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Municipal Corporations.

The bill from the House of Assembly entitled

Supplement to an act entitled 'an act to incorporate the town of Belvidere,' passed the nineteenth day of March, eighteen hundred and forty-five,

Was taken up, read a first time by its title, ordered to have a a second reading, and referred to the Committee on Municipal Corporations.

The bill from the House of Assembly entitled,

An act to renew and re-establish an act entitled 'an act to incorporate the Mount Holly and Camden Railroad Company,' approved February eleventh, eighteen hundred and forty-eight, and supplemental thereto,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Rea, from the Committee on Municipal Corporations, to which was referred

The bill entitled,

A further supplement to the act entitled 'an act to incorporate Jersey City,' approved the eighteenth day of March, eighteen hundred and fifty-one,

Reported the same,
Without amendment.

The bill from the House of Assembly, entitled

An act for the suppression of Intemperance,

And the amendments reported by the special committee to which it was re-committed,

Was taken up, the amendments read and agreed to, and the amendments ordered to be engrossed, and the bill to have a third reading.

On motion of Mr. Howell, said bill and the amendments made in the Senate to the same, were made the special order of the day for Thursday of next week.

Mr. Stults offered the following resolution—

Resolved, That the Secretary of the Senate be directed to furnish each member and officer of the Senate with one hundred post stamped envelopes and one hundred newspaper stamps.

Which was read.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Bramhall, Depew, Franklin, Howell, Laird, Rea, Robertson, Somers, Smith, Stults, Swain—14.

NAYS—Messrs. A. V. Bonnell, Chetwood, Cowperthwaite, Hoxsey—4.

So said resolution was agreed to.

On motion of Mr. Allen,

The Senate then adjourned.

FRIDAY, February 16, 1855.

At 10 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of the previous day was read and approved.

Mr. Allen presented a petition from William J. Allison, and others, residents of the townships of Burlington and Springfield in the county of Burlington, in favor of a law incorporating a company authorized to construct a Turnpike Road from the City of Burlington to the village of Jacksonville, in said county,

Which was ordered to lie on the table without reading.

Mr. Rea presented three remonstrances from citizens of the township of Mansfield, in the county of Warren, against a division of said township,

Which were ordered to lie on the table without reading.

Mr. Allen moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act in relation to writs of certiorari to remove taxes and assessments,

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Robertson, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to an act entitled "An act to authorize the inhabitants of the township of Morris, in the county of Morris, to vote by ballot at their town-meetings; passed February twenty-third, eighteen hundred and forty-three.

Which was read for the first time by its title, and ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Chetwood presented the legal opinion of Cortlandt Parker, Esq., on the application of the New Jersey Railrhad and Transportation Company for a bridge over the Passaic river, at the foot of Market street, Newark, and against the right to build said bridge,

Which was ordered to lie on the table, without reading.

Mr. Franklin from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to incorporate the Lodi Manufacturing Company;

Also,

The bill entitled,

A further supplement to the act entitled "An act to incorporate the City of Paterson," approved March nineteenth, eighteen hundred and fifty-one:

Also,

The amendments made in the Senate to

The bill from the House of Assembly, entitled,

A supplement to an act entitled "An act to incorporate the Newark Plank Road and Ferry Company," approved February twenty-fourth, eighteen hundred and forty-nine,

And find the same to be severally, correctly engrossed.

Mr. Laird, from the committee on the Judiciary, to which was referred

The bill from the House of Assembly, entitled

An act to incorporate the Odd Fellows' Hall Association, of Stewartsville, New Jersey,

Also,

The bill from the House of Assembly entitled,

An act to incorporate the Jefferson Quarry Company,

Also,

The bill from the House of Assembly entitled

An act to incorporate the Clinton Iron Mining and Manufacturing Company,

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Chancery of the Order of United Americans of the State of New Jersey,

Also,

The bill from the House of Assembly entitled,

An act to incorporate the Mount Holly and Pemberton South Turnpike Road Company,

Also,

The bill from the House of Assembly entitled,

An act to incorporate the Burlington and Jacksonville Turnpike Company;

Also,

The bill from the House of Assembly entitled,

An act to incorporate the Ocean Port Steamboat Company,

Also,

The bill from the House of Assembly, entitled

An act to renew and re-establish an act entitled 'an act to incorporate the Mount Holly and Camden Railroad Company,' approved February eleventh, eighteen hundred and forty-eight, and supplemental thereto,

Reported the same, severally
Without amendment.

The engrossed bill entitled,

A further supplement to the act entitled "An act to incorporate the city of Paterson," approved March nineteenth, eighteen hundred and fifty-one,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain——18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to authorize a change in the artillery carriages at the State Arsenal, and to attach percussion locks,

Was taken up, and having been read a third time,

Upon the question,

Shall this engrossed bill pass ?

It was decided in the negative, as follows :

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Martin, Rea, Somers, Stults—8.

NAYS—Messrs. Alexander, (Pres.), Bramhall, Cowperthwaite, Franklin, Hoxsey, Laird, Roberts, Robertson, Smith Swain—10.

Mr. Hoxsey moved that the vote by which said bill was disagreed to,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Chetwood, Franklin, Hoxsey, Rea, Robertson, Somers, Smith, Swain—12.

NAYS—Messrs. Cowperthwaite, Stults—2.

So said motion was agreed to, and the vote re-considered.

The same Senator moved that the vote by which said bill was ordered to engrossed and have a third reading,

Be re-considered :

Which motion was agreed to, and the vote re-considered accordingly.

On motion of the same Senator, said bill was re-committed to the committee on the Militia.

The engrossed bill entitled,

An act to incorporate the Lodi Manufacturing Company,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Swain—15.

NAYS—Mr. Alexander, (Pres.)—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly entitled,

A further supplement to the act entitled "An act to establish and regulate Pilots for the ports of Jersey City, Newark, and Perth Amboy, by way of Sandy Hook," approved February eighth, eighteen hundred and thirty-seven,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly entitled,

An act to incorporate "the Elizabethtown Gas Light Company,"

Was taken up, read a third time,

Upon the question,

Shall this bill from the House of Assembly, pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnel, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

Mr. Hoxsey moved that the annual report of the Morris Canal and Banking Company and of the Atlantic Railroad Company, which were reported by mistake to the Senate some days since, instead of being filed in the Secretary of States' office as required by law, be taken from the files of the Senate and filed in the Secretary of States' office, and be printed with the annual reports of the other Railroads and Canals of this State,

Which motion was agreed to, and said reports withdrawn and filed accordingly.

Mr. A. V. Bonnell moved that the vote by which

The amendments made in the Senate to

The bill from the House of Assembly, entitled

"A further supplement to the act entitled "An act to incorporate the town of Lambertville, in the township of West Amwell, and county of Hunterdon;

Were ordered to be engrossed, and the bill to have a third reading,

Be re-considered;

Which motion was agreed to, and the vote re-considered accordingly.

Said bill was then taken up upon its second reading, and

On motion of Mr. A. V. Bonnell, the amendments made in the Senate to said bill upon its former reading, were reconsidered and ordered to be stricken out, and the bill ordered to have a third reading.

The bill entitled,

A supplement to the act entitled "An act to incorporate the White Horse Turnpike Company;"

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 16, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly have passed

The bill entitled,

A further supplement to an act entitled "An act to incorporate a Company to form an Artificial Navigation between the Passaic and Delaware rivers:

Also,

The bill entitled,

An act to incorporate "the Trenton Oil Cloth Manufacturing Company," in the county of Mercer:

Also,

The bill entitled,

An act to repeal an act entitled "An act to protect fish in the Swartwout pond, in the county of Sussex:

Also,

The bill entitled,

An act to authorize the removal of a certain Railroad Track from certain parts of the city of Newark,

In which the concurrence of the Senate is requested.

And,

That the House of Assembly has concurred in the amendments made by the Senate to

The bills from the House of Assembly entitled,

An act to incorporate the New Jersey Express Company,

And,

An act to incorporate the Atlantic City Ice Company;

And has caused said bills to be re-engrossed, the amendments to be embodied therein, and has passed the same.

P. D. VROOM, Clerk.

The bill entitled,

A supplement to the act entitled, "An act to incorporate the Warren Railroad Company,"

Which was postponed yesterday, pending the consideration of the proviso offered by Mr. Chetwood as a substitute for the proviso offered by Mr. Allen to the first section of said bill,

Was taken up, and the consideration thereof resumed.

The ayes and nays being demanded and ordered upon the question of agreeing to the substitute for the proviso offered by Mr. Allen, were as follows—

AYES—Messrs. Alexander, (Pres) Bramhall, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Smith,—8.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Hoxsey Rea, Roberts, Robertson, Somers, Stults, Swain—10.

So said substitute was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to the proviso offered by Mr. Allen to be added at the end of the first section, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Hoxsey, Rea, Robertson, Smith, Stults, Swain—9.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Roberts, Somers—9.

So said proviso was not agreed to.

Mr. Hoxsey moved to amend the first section by adding at the end thereof a proviso as follows—

Provided, That this act shall not be held to authorize the taking or holding of any land or lands of or from any person or persons, on such alteration or variation of their route or location, without the full, free and voluntary consent of such land holder.

Mr. Martin presented an affidavit from J. I. Blair, Adam Waudling, Jr. and Charles Scranton, in relation to the affairs of said company.

Which was ordered to lie on the table.

Mr. Chetwood offered as a substitute for the proviso offered by Mr. Hoxsey to the first section of said bill, the following—

Provided, That such temporary track shall not interfere with the bona fide construction of the Morris and Essex Railroad, nor with the running of the cars thereon.

Mr. Allen moved to strike out the first section of said bill.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Hoxsey, Rea, Robertson, Smith, Stults, Swain—8.

NAYS—Messrs. Alexander, (Pres.) Bramhall, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Roberts, Somers —10.

So said motion was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to the substitute proposed by Mr. Chetwood for the proviso offered by Mr. Hoxsey, were as follows—

AYES—Messrs. Bramhall, Chetwood, Cowperthwaite, Franklin, Martin, Smith—6.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Hoxsey, Laird, Rea, Roberts, Robertson, Somers, Stults, Swain—12.

So said substitute was not agreed to.

Mr. Chetwood offered as a substitute for the proviso offered by Mr. Hoxsey, the following—

Provided, That no permanent alteration of the now located line shall be made by virtue of this act so as to injuriously affect any legal rights which the Morris and Essex Railroad Company may now have.

Pending the consideration of the same,

On motion of Mr. Allen,

The Senate then adjourned.

At three o'clock the Senate met.

Under the direction of the President, the Secretary proceeded to call the Senate.

Pending the call a quorum appearing, all further proceedings under the call were dispensed with.

Mr. Allen presented a remonstrance from James Halloway and others, citizens of the township of Chesterfield, in the county of Burlington, against a division of said township.

Which was referred to the Committee on Municipal Corporations without reading.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to simplify the pleadings and practice in courts of law,

And find the same to be correctly engrossed.

Mr. Rea, from the Committee on Municipal Corporations, to which was referred

The bill from the House of Assembly entitled

Supplement to an act entitled 'an act to incorporate the town of Belvidere,' passed the nineteenth day of March, eighteen hundred and forty-five,

Also,

The bill from the House of Assembly, entitled

An act to vacate part of Fulton street, as laid out in the plan of Pavonia, in the county of Camden,

Reported the same, severally,
Without amendment.

Mr. A. V. Bonnell moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or bill or joint resolution be on different days, in order to put

Upon its final passage at this time

The bill from the House of Assembly entitled

A further supplement to the act entitled "An act to incorporate the town of Lambertville, in the township of West Amwell, in the county of Hunterdon.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was then taken up, and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Hoxsey, Laird Martin, Rea, Robertson, Somers, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

The bill from the House of Assembly, entitled

A further supplement to the act entitled "An act to incorporate a Company to form an Artificial Navigation between the Passaic and Delaware Rivers,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Trenton Oil Cloth Manufacturing Company, in the county of Mercer,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The bill from the House of Assembly entitled,

An act to repeal an act entitled "An act to protect fish in the Swartwout pond, in the county of Sussex,

Was taken up, read for the first time by its title, and ordered to have a second reading, and referred to the Committee on Miscellaneous Business.

The bill from the House of Assembly entitled,

An act to authorize the removal of a certain Railroad Track from certain parts of the city of Newark,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 16, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly have passed

The bill entitled,

An act to incorporate the city of Hoboken,

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill from the House of Assembly entitled,

An act to incorporate the City of Hoboken,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The engrossed bill entitled,

An act to simplify the pleadings and Practice in Courts of Law,

Was taken up upon its third reading.

Pending the reading thereof,

Mr. Allen moved that the further reading of the same be suspended for the present in order to introduce a resolution.

Which motion was agreed to, and the reading of said bill bill suspended accordingly.

The same Senator then offered the following resolution:

Reeolved, That when the Senate adjourns, it adjourn to meet on Monday afternoon next, at three o'clock,

Which was read and agreed to.

Mr. Robertson offered the following resolution:

Resolved, That the Governor be requested to return to the Senate the bill entitled "An act to incorporate the Dover Manufacturing Company,"

Which was read and agreed to, and the Secretary directed to inform the Governor of the same.

Mr. Allen offered the following additional rule:

41. The seats within the bar shall be reserved exclusively for the members of the Senate, the officers of same, and the reporters of the press, who shall have seats assigned them,

Which on motion of the same Senator was ordered to lie on the table, without reading.

The reading of

The engrossed bill entitled,

An act to Simplify the Pleadings and Practice in Courts of Law,

Was then resumed,

And having been read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Smith, Stults—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The President laid before the Senate a communication from His Excellency, the Governor, as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, February 16, 1855.

Hon. Wm. C. Alexander.

President of the Senate,

SIR:—In accordance with a resolution of the Senate passed this day, I herewith return the bill entitled 'An act to incorporate the Dover Manufacturing Company."

Very respectfully,

Your obt. serv't,

RODMAN M. PRICE.

Mr. Allen moved that the additional rule offered by him as follows:

41. The seats within the bar shall be reserved exclusively

for the members of the Senate, the officers of the same, and the reporters of the press, who shall have seats assigned them,

Which was laid on the table, be now taken up for consideration,

Which motion was agreed to, and

The rule taken up and agreed to.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A supplement to the act entitled "an act to incorporate the Hoboken Land and Improvement Company, passed the twenty-first day of February, eighteen hundred and thirty-eight

And find the same to be correctly engrossed.

Said bill was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I.Bonnell,Bramhall, Cowperthwaite, Depew, Franklin, Laird, Martin, Rea, Robertson, Somers, Smith, Stults—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

On motion of Mr. I. Bonnell,

The Senate then adjourned.

MONDAY, February 19, 1855.

At 3 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of Friday was read and approved.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly, entitled

A further supplement to the act entitled "An act to incorporate a Company to form an Artificial Navigation between the Passaic and Delaware Rivers,

Also,

The bill from the House of Assembly, entitled

An act to incorporate "the Trenton Oil Cloth Manufacturing Company," in the county of Mercer.

Reported the same, severally,
Without amendment.

Mr. Stults, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

Supplement to the act entitled "An act respecting Coroners," approved April seventeenth, eighteen hundred and forty-six,

Also,

The bill entitled,

A supplement to the act entitled "an act to prevent fraudulent trusts and assignments," approved March seventh, eighteen hundred and fifty,

Also,

The bill entitled,

An act for the promotion of the agricultural interests of this State;

Also,

The bill entitled,

A further suplement to the act approved April sixteenth, eighteen hundred and forty-six, and entitled "An act for the relief of creditors against absconding and absent debtors;"

Also,

The bill entitled,

An act further supplementary to an act entitled "an act establishing a Militia system," approved April seventeenth, eighteen hundred and forty-six,

And find the same to be severally, correctly engrossed.

Mr. Hoxsey moved that the vote by which

The bill entitled,

An act for the promotion of the agricultural interests of this State,

Was ordered to be engrossed and have a third reading,

Be re-considered:

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator moved that said bill be re-committed to the Committee on Agriculture.

Which motion was agreed to, and the bill re-committed.

The bill entitled,

A supplement to an act entitled "an act to incorporate the Beverly Steam Power Company," approved March eighteen, eighteen hundred and fifty-one,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act relative to the Lunatic Asylum,

Was taken up, read a second time, considered by sections, amended and agreed to.

Mr. Hoxsey moved that the vote by which the first section was agreed to,

Be re-considered;

Which motion was agreed to, and the vote re-considered accordingly.

The first section of said bill as follows:

1. BE IT ENACTED, *by the Senate and General Assembly, of the State of New Jersey*, That the sum of eight thousand three hundred dollars be paid by the treasurer out of the state treasury, on the warrant of the Governor, to the managers of the Lunatic Asylum, to defray the current expenses of the Lunatic Asylum,

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out in the second line thereof, the words "eight thousand three hundred," and inserting the words "five thousand six hundred and twenty," in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

AYES—Messrs. I. Bonnell, Cowperthwaite, Depew, Hoxsey, Smith—5.

NAYS—Messrs. Alexander, (Pres.), Allen, Chetwood, Laird, Martin, Stults—6.

So said ameudment was not agreed to.

Mr. Smith offered a substitute for the first section of said bill as follows—

1. BE IT ENACTED, *by the Senate and General Assembly of the State of New Jersey*, That the sum of one dollar for each county patient per week be paid by the Treasurer on the warrant of the Governor to the Managers of the asylum, upon a statement furnished quarterly by the superintendent, giving the number of such county patients, which may have been thus supported in said asylum during said quarter, and said statements be filed in the state treasury department.

Which was read, and pending the consideration of the same,

On motion of Mr. Allen, the further consideration of said bill was postponed for the present.

The bill entitled,

An act for the suppression of the manufacture and sale of intoxicating liquors as a beverage,

Being the substitute reported by the minority of the committee to which was referred

The bill from the House of Assembly, entitled

An act for the suppression of Intemperance,

Was taken up, read a second time, considered by sections, amended and agreed to, the preamble andtitle considered, amen- and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Somerset County Agricultural Society.

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill from the House of Assembly entitled,

An act to incorporate the Jefferson Quarry Company,

Was taken up, the amendments read and agreed to, and the amendments ordered to be engrossed, and the bill to have a third reading.

The bill entitled,

Supplement to the act entitled "an act for the relief of the state of New Jersey in relation to the estate of John G. Leake, deceased," passed the fifteenth day of March, in the year of our Lord one thousand eight hundred and thirty-seven,

Was taken up, read a second time, the first and only section thereof considered and agreed to, and the bill ordered to be engrossed, and have a third reading.

The bill from the House of Assembly entitled

An act to incorporate the Trenton Oil Cloth Manufacturing Company, in the county of Mercer,

Was taken up, read a second time, considered by sections, amended and agreed to.

Mr. Hoxsey moved that the vote by which the second section was agreed to

Be re-considered;

Which motion was agreed to, and the vote re-considered accordingly.

Said section was then amended and agreed to.

The same Senator then moved that the vote by which the first section was agreed to

Be re-considered.

Which motion was agreed to, and the vote re-considered.

Said section was then amended and agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

The bill from the House of Assembly entitled,

An act to incorporate the Ocean Port Steamboat Company,

Was taken up, read a second time, considered by sections, amended and agreed to, and was ordered to be engrossed and have a third reading.

The bill from the House of Assembly entitled,

An act to authorize the erection of a draw or swing bridge over Mullicas river,

Was taken up upon its second reading, and

Pending the reading of the same,

The Secretary, under the direction of the President, proceeded to call the Senate, when the following Senators answered the call—

Messrs. Alexander, (Pres.) Allen, I. Bonnell, Chetwood, Cowperthwaite, Depew, Laird, Martin, Stults, Swain—10.

There being no quorum present,

On motion of Mr. Allen, the Sergeant-at-arms and his assistants were despatched for the absentees.

After a short time a quorum appearing, the consideration of said bill was resumed, and having been read a second time, considered by sections and agreed to, was ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to renew and re-establish an act entitled 'an act to incorporate the Mount Holly and Camden Railroad Company,' approved February eleventh, eighteen hundred and forty-eight, and supplemental thereto,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

On motion of Mr. Laird,

The Senate then adjourned.

TUESDAY, February 20, 1855.

At ten o'clock the Senate met.

The session was opened with prayer by the Rev. A. D. White.

The journal of the previous day was read and approved.

Mr. Martin presented a remonstrance from John V. Arrowsmith and others, inhabitants of the township of Plainfield, in the county of Essex, against the passage of a law to create the county of Union.

Which was ordered to lie on the table, without reading.

The same Senator presented a remonstrance from Ephriam Clark and others, inhabitants of the township of Westfield, in the County of Essex, upon the same subject,

Which was ordered to lie on the table, without reading.

Mr. Stults presented a petition from John Clark, Jr., and others, citizens of New Brunswick, representing that great public necessity exists for the straightening and shortening of the route of the New Jersey Railroad and Transportation Company, between Newark and New York, by a bridge across the Passaic River, at Market street, and a more direct line of road to the junction of the Morris and Essex and New Jersey Railroads at East Newark, and praying the passage of a law authorizing said improvement to be made,

Which was read, and referred to the Committee on Corporations

Mr. Robertson presented a petition from James Bishop and others, citizens of Newark, upon the same subject,

Which was referred to the same Committee, without reading.

Mr. Martin presented a petition from C. Marsh and others, citizens of Rahway, upon the same subject,

Which was referred to the same Committee, without reading.

Mr. Laird presented a petition from W. W. Wagner and others, residents of Newark, upon the same subject.

Which was referred to the same committee without reading.

Mr. Depew presented a petition from A. W. Canfield and others, citizens of Newark, upon the same subject.

Which was referred to the same committee without reading.

Mr. Franklin presented a petition from James Mitchell and others, citizens of Elizabethtown, upon the same subject.

Which was referred to the same committee without reading.

Mr. Bramhall presented a petition from L. A. Pratt and others, citizens of Jersey City, upon the same subject,

Which was referred to the same Committee, without reading.

Mr. Chetwood presented an affidavit of L. A. Sykes and Peter Sours, Civil Engineers, in relation to the necessity of straight-

ening the line of the New Jersey Railroad Company, at Newark,

Which was referred to the same committee, without reading.

Mr. Roberts presented a petition from Stephen Crocker and others, citizens of Camden County, praying the passage of a law authorizing the removal of certain dams in Little Timber Creek in said county, so that the tide may ebb and flow through the same,

Which was read and referred to the Committee on the Judiciary.

The same Senator presented a petition from Maria Cain and and others, widows, and orphans, of the same county, upon the same subject,

Which was referred to the committee on the Judiciary, without reading.

Mr. Hoxsey, from the committee on the Judiciary, to which was referred

The bill entitled,

A supplement to an act entitled "An act to authorize the inhabitants of the township of Morris, in the county of Morris, to vote by ballot at their town-meetings; passed February twenty-third, eighteen hundred and forty-three.

Also,

The bill from the House of Assembly, entitled,

An act to authorize the Chosen Freeholders of Bergen county to construct a bridge over the Hackensack River;

Also,

The bill from the House of Assembly, entitled

A supplement to an act entitled 'an act concerning the Firemen of Jersey City,' passed January twenty-seventh, one thousand eight hundred and fifty-three;

Also,

The bill from the House of Assembly entitled,

An act regulating the speed of steamboats and other vessels propelled by steam, on the Raritan River.

Reported the same, severally,
Without amendment.

Mr. I. Bonnell from the Committee on Agriculture, to which was re-committed,

The bill entitled,

An act for the promotion of the agricultural interests of this State;

Reported the same,
Without amendment.

Mr. Allen moved a suspension of so much of the twenty-third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to confirm the title of the Masonic Lodge, No. 14, of Mount Holly, to certain real estate,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. A. V. Bonnell gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to secure to owners, lumber found adrift in the river Delaware.

Mr. Robertson moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall

be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Dover Mining and Manufacturing Company,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. I. Bonnell moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act supplementary to an act for the relief of persons imprisoned on civil process, approved April sixteenth, one thousand eight hundred and forty-six,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary

The engrossed bill entitled,

Supplement to the act entitled "An act respecting Coroners," approved April seventeenth, eighteen hundred and forty-six,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carit to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act further supplementary to an act entitled "An act establishing a Militia System," approved April seventeen, eighteen hundred and forty-six,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass ?

It was decided in the negative, as follows:

AYES—Messrs. Alexander, (Pres), A. V. Bonnell, I. Bonnell, Chetwood, Hoxsey, Laird, Martin, Rea, Robertson, Somers—10.

NAYS—Messrs. Allen, Bramhall, Depew, Franklin, Smith, Stults—6.

The bill from the House of Assembly entitled,

An act to set off from the township of Pequannock in the county of Morris, a new township to be called the township of Union,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass ?

It was decided in the negative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Franklin, Martin, Smith, Stults—7.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Laird, Rea, Robertson, Somers—8.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill entitled,

An act making a further appropriation for the prosecution of the Geological Survey of this State,

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

An act in relation to the Census or enumeration of the inhabitants of this State,

Was taken up, read a second time, considered by sections, amended and agreed to.

Mr. Stults moved that the vote by which the thirteenth section was agreed to,

Be re-considered;

Which motion was agreed to, and the vote re-considered accordingly.

The thirteenth section of said bill, as follows:

13. *And be it enacted*, That the assessors shall be entitled as remuneration for their services, fifty cents per hundred inhabitants enumerated as aforesaid.

Was then taken up and considered.

Mr. Stults moved to amend said section by striking out the words '*fifty cents*' in the second line, and inserting the words '*one dollar*' in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

AYES—Messrs. Allen, Chetwood, Stults—3.

NAYS—Mr. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Smith—13.

So said amendment was not agreed to.

Said section was then agreed to, and the bill ordered to be engrossed and have a third reading.

The Joint Resolution entitled

Joint resolution relative to the early records of the supreme, court,

Was taken up, read a second time, considered and agreed to and ordered to be engrossed and have a third reading.

The bill entitled,

An act to authorize the "Trustees of the incorporated district of Chester" to sell their school house and lot,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

A further supplement to the act entitled "an act to incorporate Jersey City," approved the eighteenth day of March, eighteen hundred and fifty-one,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to repeal an act entitled "a further supplement to the act entitled an act against usury," approved April tenth, eighteen hundred and forty-six, which said supplement was approved March second, eighteen hundred and fifty-four,

Was taken up, read a second time, the first and only section thereof considered and agreed to.

Mr. Hoxsey moved that the vote by which said section was agreed to

Be re-considered :

Which motion was agreed to, and the vote re-considered accordingly.

Said section was then taken up, and pending its consideration,

On motion of Mr. Hoxsey, the further consideration of said bill was postponed for the present.

The bill entitled,

An act for the promotion of the agricultural interests of this State,

Was taken up, and having been read a second time, considered by sections, and the amendments reported by the Committee to which it was re-committed, agreed to, was ordered to be engrossed, and have a third reading.

Mr. Stults moved that the vote by which

The bill entitled,

An act further supplementary to an act entitled "an act establishing a Militia system," approved April seventeenth, eighteen hundred and forty-six,

Was disagreed to upon its final passage.

Be re-considered,

Which motion was agreed to, the vote re-considered, and the bill ordered to stand upon its third reading.

Mr. A. V. Bonnell moved that the Secretary be directed to request the House of Assembly to return to the Senate for further consideration

The bill from the House of Assembly, entitled

An act to set off from the township of Pequannock, in the county of Morris, a new township, to be called the township of Union.

Which was disagreed to this morning upon itsfinal passage

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Laird, Martin, Smith, Stults—9.

NAYS—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Rea, Roberts, Robertson, Somers—8.

So said motion was agreed to, and the Secretary directed to request the House of Assembly to return said bill.

The bill from the House of Assembly entitled

An act to regulate the sale of Candles,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

A supplement to an act entitled 'an act to incorporate the Trenton Saving Fund Society," passed the seventh day of March, eighteen hundred and forty-four,

Was taken up, and having been previously read a second time, the amendments reported to the same by the Committee on Corporations were considered and agreed to.

Mr. A. V. Bonnell moved that the vote by which the second section was agreed to,

Be re-considered, in order to amend the same.

Which motion was agreed to, and the vote re-considered.

The second section was then amended and agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, the amendments were ordered to be engrossed and the bill have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the Burlington and Jacksonville Turnpike Company;

Was taken up, read a second time, considered by sections, amended and agreed to, and was ordered to be engrossed and have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 20, 1855.

Mr. President:—

I am directed by the House of Assembly, in conformity to a request from the Senate, to return to the Senate

The bill entitled,

An act to set off from the township of Pequannock, in the county of Morris, a new township to be called the township of Union,

Which was disagreed to by the Senate, and returned by them to the House of Assembly.

P. D. VROOM, Clerk.

On motion of Mr. Robertson,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. A. V. Bonnell presented a remonstrance from Peter Hartough and others, citizens of Lamberton, in the county of Mercer, against granting any privileges obstructing the accustomed use of the river Delaware to any corporation or individuals, as they consider such obstruction would result in great private loss and damage, and be a serious public injury and nuisance.

Which was ordered to lie on the table, without reading.

The same Senator presented a remonstrance from Joshua B. Main and others, citizens of the county of Sullivan, in the state of New York, upon the same subject.

Which was ordered to lie on the table, without reading.

Mr. Martin presented a petition from T. W. Hayes and others, asking the passage of a law incorporating a Company authorized to build a Railroad from Peapack, in Somerset county, to connect with the Central Railroad at Plainfield, in Essex county.

Which was read, and referred to the Committee on Corporations

The President laid before the Senate a petition from Mercer Beaseley and others, of Trenton, in favor of the passage of the law to authorize the New Jersey Railroad and Transportation Company to build a bridge across the Passaic river at Market street, Newark, and to straighten the route of their road at East Newark.

Which was referred to the same Committee, without reading.

The President laid before the Senate the report of the state

treasurer in relation to the Banks of the state, together with the annual Statements made to the treasurer by the several Banks of the state.

(For Report and Statements, see Appendix.)

Which report was read and accepted.

On motion of Mr. Allen,

It was ordered, That the usual number of copies of said report and the statements accompanying the same, be printed under the direction of the Committee on Finance, for the use of the Senate.

Mr. Martin gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled

An act to incorporate the Peapack and Plainfield Railroad Company.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act for the incorporation of vessel building associations.

Which was read for the first time by its title, and ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Chetwood gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act in relation to Justices of the Peace.

Mr. Depew, from the Committee on Miscellaneous Business, to which was referred

The bill from the House of Assembly entitled,

An act to repeal an act entitled "An act to protect fish in the Swartwout pond, in the county of Sussex,

Reported the same,
Without amendment.

Mr. Laird moved that the vote by which

The bill from the House of Assembly entitled,

An act to set off from the township of Pequannock, in the county of Morris, a new township, to be called the township of Union,

Was disagreed to this morning upon its final passage,

Be re-considered;

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. Allen, A. V. Bonnell, Chetwood, Franklin, Martin, Smith, Stults—7.

Nays—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Laird, Rea, Roberts, Robertson, Somers—9.

So said motion was not agreed to.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill entitled,

A further supplement to the act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, approved the twenty-fifth day of March, eighteen hundred and fifty-two;

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, as follows:

HOUSE OF ASSEMBLY, February 20, 1855.

Mr. President :

I am directed by the House of Assembly to inform the Senate that the House of Assembly has passed

The bill entitled,

An act to authorize and enable the City of Trenton to purchaso a part or the whole of the capital stock of the Trenton Water Works Company ;

Also,

The bill entitled,

An act relative to Public Schools in the Glassborough School District, No. 1, in the county of Gloucester ;

Also,

The bill entitled

An act for the preservation of Terrapin ;

Also,

The bill entitled,

A further supplement to an act entitled "An act to provide for the organization of the State Lunatic Asylum, and for the care and maintenance of the Insane," approved February twenty-third, eighteen forty-seven ;

Also,

The bill entitled,

An act for the relief of the Trustees of the Methodist Episcopal Church, at Mount Holly, in the county of Burlington ;

Also,

The bill entitled,

An act to authorize the inhabitants of this State to vote by ballot at their annual town meetings,

Also,

The bill entitled,

An act ceding to the United States of America, jurisdiction over certain land and its appurtenances, situate in the city of Newark, and for other purposes therein mentioned;

Also,

The Joint Resolution entitled

A joint resolution for the appointment of Commissioners to revise the School Laws of this State, to extend and codify the same,

In which the concurrence of the Senate is requested;

Also,

That the House of Assembly have passed the bills from the Senate entitled,

An act relative to the quantity of land that may be held by certain Railroad Companies;

And,

An act to authorize the sale of certain real estate in the county of Warren, whereof Abraham Arndt, died seized,

Without amendment.

PETER D. VROOM, Clerk.

Mr. Hoxsey moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

Upon its final passage at this time

The engrossed bill entitled,

An act further supplementary to an act entitled "An act establishing a Militia System," approved April seventeen, eighteen hundred and forty-six,

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was then taken up, and having been previously read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Hoxsey, Rea, Laird, Martin, Rea, Roberts, Robertson, Somers, Stults—12.

NAYS—Messrs. Allen, Bramhall, Depew, Franklin, Smith—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

A message was received from His Excellency, the Governor by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, February 19, 1855.

Mr. President;

I have this day approved and signed the following bills which originated in the Senate, viz:

An act to incorporate the Great and Little Egg Harbor Turnpike Road Company,

An act to incorporate the Indigent Widow's and Single Women's Home Society, of the city of Trenton;

A supplement to the act entitled an act to incorporate the Millstone and New Brunswick Railroad," passed the twenty-seventh of February, eighteen hundred and thirty-seven;

An act to incorporate the Morristown Gas Light Company,

An act to incorporate the New Jersey Ocean Steam Navigation Company,

An act to incorporate the Bordenton Savings Institution.

RODMAN M. PRICE.

The bill entitled,

An act relative to the quantity of land that may be held by certain railroad companies;

Also,

The bill entitled,

An act to authorize the sale of certain real estate in the county of Warren, whereof Abraham Arndt died seized,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The bill from the House of Assembly, entitled

An act to incorporate the Chancery of the Order of United Americans of the State of New Jersey,

Was taken up, read a second time, considered and agreed to and ordered to have a third reading.

The bill from the House of Assembly entitled

An act regulating the speed of steamboats and other vessels propelled by steam, on the Raritan river,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled

An act to authorize the Chosen Freeholders of Bergen county to construct a bridge over the Hackensack River;

Was taken up upon its second reading.

Mr. Depew moved that the further consideration of said bill be indefinitely postponed.

Which motion was agreed to, and the bill postponed accordingly.

The bill from the House of Assembly, entitled,

A supplement to an act entitled 'an act concerning the Firemen of Jersey City,' passed January twenty-seventh, one thousand eight hundred and fifty-three,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to corporate the Trustees of Camden Cemetery,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

An act for the relief of the Trustees of the Methodist Episcopal Church, at Mount Holly, in the County of Burlington.

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly, entitled

An act to authorize and enable the City of Trenton to purchase a part or whole of the Capital Stock of the Trenton Water Works Company,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly entitled,

An act relative to Public Schools in the Glassborough School District, No. 1 in the county of Gloucester,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

The bill from the House of Assembly, entitled

An act for the preservation of Terrapins,

Was taken up, read for the first time by its title, and ordered to have a second reading, and referred to the Committee on Miscellaneous Business.

The bill from the House of Assembly entitled,

A further supplement to an act entitled "An act to provide for the organization of the State Lunatic Asylum, and for the care and maintenance of the Insane," approved February twenty-third, eighteen hundred and forty-seven,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Lunatic Asylum.

The bill from the House of Assembly entitled,

An act ceding to the United States of America, jurisdiction over certain land and its appurtenances, situate in the City of Newark, and for other purposes therein mentioned,

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly entitled,

An act to authorize the inhabitants of the several Townships in the State to vote by ballot at their annual town meetings,

Was taken up, read a first time by its title, ordered to have a a second reading, and referred to the Committee on the Judiciary.

The Joint Resolution from the House of Assembly, entitled,

A Joint Resolution for the appointment of Commissioners to revise the School Laws of this State, and to extend and codify the same,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on Education.

Mr. Allen from the Committee on the Judiciary to which was referred,

The bill entitled,

An act to confirm the title of the Masonic Lodge, No. 14, of Mount Holly, to certain real estate,

Also,

The bill entitled,

An act supplementary to an act for the relief of persons imprisoned on civil process, approved April sixteenth, one thousand eight hundred and forty-six,

Reported the same, severally,
Without amendment.

Mr. Bramhall called up the bill reported by the Committee on Unfinished Business, and entitled

An act to incorporate the Bay City Company,

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Centreton Turnpike Company,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

Mr. Martin gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

Supplement to an act entitled "An act making appropriations to the New Jersey Colonization Society," approved March twenty-fourth, eighteen hundred and fifty-two.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act for the promotion of the agricultural interests of this state,

And find the same to be correctly engrossed.

Mr. Stults moved a suspension of so much of the twenty-third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act for the relief of Tabitha Martin, widow of Merrick Martin, deceased, of the county of Middlesex,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Claims and Pensions.

On motion of Mr. Allen,

The Senate then adjourned.

WEDNESDAY, February 21, 1855.

At ten o'clock the Senate met.

The session was opened with prayer by the Rev. A. D. White.

The journal of the previous day was read and approved.

Mr. Chetwood presented a petition from A. P. Condit and others, citizens of Newark, praying the passage of a law requiring all the Justices of the Peace now elected, and all hereafter to be elected for the city of Newark, to keep their office and hold their Courts in the Wards in which they were or may be elected.

Which was read and referred to the Committee on the Judiciary.

Mr. Allen presented a remonstrance from Barclay White and others, residents of the townships of New Hanover, Chesterfield and Springfield, in the county of Burlington, against creating the township of Oakland, from parts of said townships.

On motion of the same Senator said remonstrance was referred to the Committee on Municipal Corporations, without reading.

The President laid before the Senate the following communication :

To the Honorable, the Senate,

And Assembly of the State of New Jersey:

The undersigned are a Committee appointed by the managers of the New Jersey Colonization Society, to solicit your Honorable bodies to revive and extend the act entitled "An act making appropriations to the New Jersey Colonization Society, approved March twenty-fourth, eighteen hundred and fifty-two, which expired by its own limitation, in aid of the object of this Society. And we are encouraged the more to do this from the deep and intelligent interest which past Legislatures, and indeed the entire people of this State have taken in the cause of African Colonization. This cause had its origin with us, and the greatest and best of all classes of our citizens have honored it with high recommendation and have referred to it as eminently conducive to the best permanent good of the colored race. The cause of Colonization is no longer an experiment.

The Republic of Liberia has been established, and an Asylum for the colored people from this country is now opened, and at this moment inviting thousands to seek its protection and emjoyment. But a difficulty has hitherto existed, and which has acted as a discouragement to emigration, viz: the necessity in the first years of its enterprize in locating the emigrants upon the barren and unhealthy sea coast, placing them in circumstances alike unfavorable to health and agriculture. To remedy this evil the New Jersey Colonization Society three years ago purchased a tract of land of one hundred and sixty thousand acres back from the sea-coast about twenty miles, which is favorably located for the purpose of agriculture and and manufactures as well as being elevated and healthful.

This land has been paid for and is ready now for occupancy Before the emigrant can be encouraged to leave this country for a residence upon it, suituable roads must be constructed from the sea-coast to this tract of land, and suitable dwellings erected upon his arrival in Liberia—that not only his security of personal support but the preservation of his health, demand this, and until this is done, it will be impossible to make Africa what it should be, an inviting home to the colored people of this country. And when an agricultural settlement shall be once permanently established in the high and healthy interior, it is believed that the cause of Colonization will not only rapidly advance but a new and extensive market for our manufactures will be opened, and our commerce with Africa greatly

augmented. Your memorialists would therefore earnestly solicit from the Legislature of New Jersey—the state which gave birth to the Colonization cause, and which has so honored itself by honoring and sustaining it from the beginning till now—your continued patronage and supply.

A. D. EDDY,
R. S. FINLEY,
J. G. GOBLE,
H. M. BLODGETT, Committee.

Newark, Feb. 20, 1855.

Which was read and referred to the Committee on the Judiciary.

Mr. Martin presented a remonstrance from David Felt, and other citizens of township of New Providence, in the county of Essex, against the new county of Union.

Which was ordered to lie on the table, without reading.

Mr. Chetwood presented the affidavit of Ephriam Beach, Engineer of the New Jersey Railroad Company, when the track of said road was laid in Newark, representing that the location and route of the said Railroad at Newark, where it now is, was adopted as a compromise between the Railroad Company and the citizens of Newark, and as a definite settlement of the difficulties in relation to the location of said road.

Which was read and and referred to the Committee on Corporations.

The same Senator presented a petition from a large number of the citizens of Newark, asking the passage of a supplement to the Newark Plank Road and Ferry Company, authorizing a bridge over the Passaic River at the Ferry of said Company.

Which was ordered to lie on the table, without reading.

The President laid before the Senate, the following communication:

TRENTON, Feb. 21, 1855.

Hon. Wm. C. Alexander,

President of the Senate,

SIR :

Much having been said for and against the Warren Railroad at this session of the Legislature, and the company being very desirous to show your honorable bodies their line of road —they would respectfully invite the Gentlemen composing the Senate to accompany us at such time as they may deem most convenient, via, the Belvidere Delaware Railroad, or the New Jersey Central Railroad.

Hoping that it may prove to be convenient for your body to take the trip,

We are very respectfully,

JOHN J. BLAIR,
CHAS. SCRANTON,
A. WAUDLEY, Jr.,
Committeee of Directors.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A supplement to an act entitled "An act to incorporate the Elizabethtown Savings Institution," approved March first, eighteen hundred and fifty,

Also,

The bill entitled,

A supplement to the act entitled "An act to incorporate the White Horse Turnpike Company ;"

And find the same to be correctly engrossed.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

An act for incorporating vessel building associations;

Also,

The bill entitled,

An act to incorporate the Dover Mining and Manufacturing Company,

Also,

The bill from the House of Assembly, entitled

A further supplement to an act entitled "An act to provide for the organization of the State Lunatic Asylum, and for the care and maintenance of the Insane," approved February twenty-third, eighteen hundred and forty-seven,

Reported the same, severally,
Without amendment.

Mr. Martin in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to encourage the emigration and settlement of the free people of color of New Jersey, in Liberia,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Smith, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A further supplement to an act entitled "An act for the better relief and employment of the Poor of the county of Salem,"

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Judiciary.

Mr. Martin offered the following resolution:

Resolved, That the Senate adjourn on Thursday evening, in order to give the Senators an opportunity to accept of the invitation of the Warren Railroad Company, to visit the county

of Warren, and pass over the line of their road, on Friday, of this week,

Which was read.

Mr. Hoxsey moved to amend the same by striking out all after the word "*resolved,*" and inserting the following words: "(House concurring), That this Legislature adjourn *sine die* on Thursday, the first day of March, next ensuing."

Mr. Allen moved that the resolution and the amendments be laid on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Rea, Smith, Stults—12.

NAYS—Messrs. Bramhall, Chetwood, Depew, Laird, Roberts, Robertson, Somers—7.

So said motion was agreed to, and the resolution and amendment laid on the table.

Mr. Hoxsey from the Committee on the Judiciary, to which was referred

The bill from the House of Assembly, entitled

An act to widen and regulate the draws in the bridges over the Passaic River;

Also,

The bill from the House of Assembly entitled,

An act for the relief of the Trustees of the Methodist Episcopal Church, at Mount Holly, in the county of Burlington;

Also,

The bill from the House of Assembly, entitled

An act to authorize and enable the City of Trenton to pur-

chase a part or the whole of the capital stock of the Trenton Water Works Company;

Also,

The bill from the House of Assembly entitled,

An act to authorize the inhabitants of the several townships of this State to vote by ballot at their annual town meetings,

Also,

The bill from the House of Assembly, entitled

An act ceding to the United States of America, jurisdiction over certain land and its appurtenances, situate in the City of Newark, and for other purposes therein mentioned,

Reported the same, severally,
Without amendment.

The same Senator from the same Committee to which was referred the bill from the Commissioners appointed to revise the system of jurisprudence, entitled,

A further supplement to the act approved April sixteenth, eighteen hundred and forty-six, and entitled "An act for the relief of creditors against absconding and absent debtors,"

Reported the same
With sundry amendments.

The same Senator from the same Committee to which was referred the bills from the Law Commissioners, severally entitled.

A supplement to the act entitled "An act for the limitation of actions," approved April the sixteenth, eighteen hundred and forty-six;

And,

A further supplement to the act entitled, "An act for the more easy partition of lands held by co-partners, joint tenants, and tenants in common,"

Reported the same,
Without amendment.

Mr. A. V. Bonnell from the Committee on Education, to which was referred

The bill from the House of Assembly entitled,

An act relative to Public Schools in the Glassborough School District, No. 1, in the county of Gloucester;

Also,

The Joint Resolution from the House of Assembly, entitled,

A Joint Resolution for the appointment of Commissioners to revise the School Laws of this State, and to extend and codify the same,

Reported the same, severally,
Without amendment.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate No. 45, entitled,

An act relative to the quantity of land that may be held by certain railroad companies;

Senate No. 66, entitled,

An act to authorize the sale of certain real estate in the county of Warren, whereof Abraham Arndt died seized,

DANIEL D. DEPEW,
Ch'm of said Committee.

February 20, 1855.

The same Senator from the Committee on Miscellaneous Business, to which was referred

The bill from the House of Assembly entitled,

An act for the preservation of Terrapins,

Reported the same

Without amendment.

Mr. Chetwood in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act in relation to Justices of the Peace.

Which was read a first time by its title, ordered to have a a second reading, and referred to the Committee on the Judiciary.

The engrossed bill entitled,

An act for the promotion of the agricultural interests of this State;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts—14.

NAYS—Messrs. Robertson, Somers, Smith, Stults—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A supplement to an act entitled "An act to incorporate the Elizabethtown Savings Institution," approved March first, eighteen hundred and fifty,

Was taken up and read a third time.

Mr. Chetwood moved that the vote by which said bill was ordered to be engrossed and have a third reading,

Be re-considered:

Which motion was agreed to, and the vote re-considered, and the bill ordered to stand upon its third reading.

The engrossed bill entitled,

A supplement to an act entitled "An act to incorporate the White Horse Turnpike Company,"

Was taken up, read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carit to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Newark Plank Road and Ferry Company," approved February twenty-fourth, eighteen hundred and forty-nine,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Roberts, Smith, Stults—12.

NAYS—Messrs. Allen, A. V. Bonnell, Howell, Hoxsey, Martin, Rea, Robertson, Somers—8.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 21, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly is ready to go into Joint Meeting for the purpose of appointing a State Treasurer and such other state officers as may be thought necessary,

And request the Senate to name the time and place.

P. D. VROOM, Clerk.

The bill from the House of Assembly entitled

An act to incorporate the Centreton Turnpike Company,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Smith, Stults—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the

Senate has passed said bill from the House of Assembly, without amendment.

The bill from the House of Assembly, entitled,

A supplement to an act entitled 'an act concerning the Firemen of Jersey City, in the county of Hudson,' passed January twenty-seventh, one thousand eight hundred and fifty-two;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly, pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Depew, Howell, Martin, Rea, Robertson, Somers, Smith, Stults,—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

On motion of Mr. Smith,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Allen presented a remonstrance from Henry Emley and others, residents of the townships of New Hanover, Chesterfield and Springfield, in the county of Burlington, against creating the township of Oakland, from parts of said townships.

Which was referred to the Committee on Municipal Corporations without reading.

Mr. Smith presented a petition from a committee of the Board of Chosen Freeholders of the county of Salem, asking the passage of an act amending an act for the better relief and employment of the poor in the county of Salem, in order that their maintenance may be less burdensome to said county.

Which was read and referred to the Committee on the Judiciary.

Mr. Bramhall presented a petition from three hundred and ten citizens and tax payers of Hoboken, praying the passage of a law entitled 'an act to incorporate the city of Hoboken, in the county of Hudson.'

Which was referred to the Committee on Municipal Corporations without reading.

The same Senator presented a remonstrance from two hundred and fifty residents, freeholders and tax payers of the township of Hoboken, against the passage of the act to incorporate said town.

Which was referred to the same Committee without reading.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The Joint Resolution entitled

Joint resolution relative to the early records of the supreme court,

Also,

The bill entitled,

An act making a further appropriation for the prosecution of the Geological Survey of this State,

Also,

The bill entitled,

An act relative to the suppression of the manufacture and sale of intoxicating liquors as a beverage.

And find the same to be severally correctly engrossed.

Mr. Somers, from the Committee on Claims and Pensions, to which was referred

The bill entitled,

An act for the relief of Tabitha Martin, widow of Merrick Martin, deceased, of the county of Middlesex,

Reported the same
Without amendment.

Mr. A. V. Bonnell, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to secure to owners, lumber found adrift in the river Delaware.

Which was read for the first time by its title, and ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. I. Bonnell, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to an act entitled "An act to incorporate the

New Jersey Exploring and Mining Company," approved February fifteenth, one thousand eight hundred and forty-nine, and a supplement thereto, approved February twelfth, one thousand eight hundred and fifty-two.

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The bills from the Law Commissioners, reported by the committee on the Judiciary, severally entitled,

A further supplement to the act approved April sixteenth, eighteen hundred and forty-six, and entitled "an act for the relief of creditors against absent and absconding debtors,'

A supplement to the act entitled "an act for the limitation of actions," approved April the sixteenth, eighteen hundred and forty six,

A further supplement to the act entitled "an act for the more easy partition of lands held by co-partners, joint tenants, and tenants in common,"

Were severally taken up and read for the first time by their titles, and ordered to have a second reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

An act to incorporate the Bay City Company,

Reported the same,
Without amendment.

The bill from the House of Assembly entitled,

An act regulating the speed of steamboats and other vessels propelled by steam, on the Raritan river,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew Franklin, Howell, Martin, Rea, Roberts, Somers, Smith, Stults—14.

NAYS—Messrs. Alexander, (Pres.) I. Bramhall, Laird, Robertson—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with out amendment.

The message from the House of Assembly of this morning, informing the Senate that the House of Assembly is ready to go into Joint Meeting for the purpose of appointing a State Treasurer, and such other officers as may be thought necessary, and requesting the Senate to name the time and place,

Was taken up and read.

Mr. Allen moved that the further consideration of the same be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, Chetwood, Cowperthwaite Franklin, Howell, Martin, Smith, Stults—8.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Roberts, Robertson, Somers—11.

So said motion was not agreed to.

Mr. Bramhall offered the following resolution:

Resolved, That the Secretary be directed to inform the House of Assembly that the Senate will be ready to go into Joint Meeting for the appointment of State Treasurer and such other state and county officers as may be necessary, on Thursday the eighth day of March proximo, at 11 o'clock, A. M, in the Assembly Room.

Which was read.

Mr. Allen moved that the further consideration of the same be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Smith, Stults—8.

NAYS—Messrs. Alexander, (Pres.), A. V. Bonnell, I.Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Roberts, Robertson, Somers—11.

So said motion

Was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (Pres) A. V. Bonnell, I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Roberts, Robertson, Somers—11.

NAYS—Messrs. Allen, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Smith, Stults—8.

So said resolution was agreed to, and the Secretary directed to inform the House of Assembly of the passage of the same.

The bill from the House of Assembly, entitled

An act to regulate the sale of Candles,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate

has passed said bill, from the House of Assembly, without amendment.

The engrossed bill entitled,

An act making a further appropriation for the prosecution of the Geological Survey of this State,

Was taken up and read a third time.

Mr. I. Bonnell asked to be excused from voting upon said bill.

Mr. Hoxsey moved that the Senator be excused.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Franklin, Howell, Hoxsey, Laird, Rea, Roberts, Robertson, Somers—13.

NAYS—Messrs. Alexander, (Pres.), Depew, Martin, Smith, Stults—5.

So said motion was agreed to, and the Senator excused from voting upon said bill.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith—15.

NAYS—Messrs. Allen, Stults—2.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A supplement to the act entitled "an act to prevent fraudulent trusts and assignments," approved March seventh, eighteen hundred and fifty,

Was taken up, and read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows?

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Stults—15.

NAYS—Mr. Smith—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A further supplement to the act approved April fifteenth, eighteen hundred and forty-six, and entitled "an act to prevent in certain cases the abatement of suits and reversal of judgments,"

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres) Allen, A V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin Howell, Hoxsey, Laird, Martin, Rea, Roberts, Smith, Stults—17

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act relative to the suppression of the manufacture and sale of intoxicating liquors as a beverage,

Was taken up upon its third reading.

Mr. Hoxsey moved that the vote by which said bill was ordered to be engrossed and have a third reading,

Be re-considered,

And the bill be re-committed to a special committee.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows :

AYES—I Bonnell, Bramhall, Franklin, Howell, Hoxsey, Rea, Somers—7.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Depew, Laird, Martin, Roberts, Robertson, Smith, Stults—12.

So said motion

Was not agreed to.

On motion of Mr. Allen,

The further consideration of said bill was postponed for the present.

The engrossed Joint Resolution entitled

Joint Resolution relative to the early records of the Supreme Court,

Was taken up and read a third time.

Upon the question,

Shall this engrossed Joint Resolution pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell,

Bramhall, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Roberts, Stults,—11.

NAYS—Messrs. I. Bonnell, Howell, Hoxsey, Rea, Robertson, Somers, Smith—7.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 21, 1855.

Mr. President :

I am directed by the House of Assembly to inform the Senate that the House of Assembly has passed

The bill entitled,

An act relative to the last will Hannah Phinny, late of the borough of Elizabeth, in the county of Essex, in this State ;

Also,

The bill entitled,

A supplement to the act entitled "an act for the punishment of Crimes ;"

Also,

The bill entitled,

An act to authorize the inhabitants of the City of New Brunswick, (School District No. 1) of the township of North Brunswick, county of Middlesex, to elect a Board of Education;

Also,

The bill entitled,

An act to incorporate the Harmony Fire Company of the City of Trenton ;

Also,

The bill entitled,

An act to incorporate the Belvidere Reservoir and Water Company,

In which the concurrence of the Senate is requested.

Also, that the House of Assembly has passed

The bill from the Senate entitled,

An act to incorporate the Lime and Cement Company of the township of Elizabeth,

Without amendment.

Also,

The bill entitled

A further supplement to the act entitled "An act to incorporate the Morris and Essex Railroad Company," passed the twenty-ninth day of January, eighteen hundred and thirty-five,

With sundry amendments.

In which the concurrence of the Senate is requested;

P. D. VROOM, Clerk.

The bill entitled,

An act to incorporate the Lime and Cement Company of the township of Elizabeth,

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The bill from the House of Assembly entitled,

An act to incorporate "the Trustees of Camden Cemetery,"

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Chetwood Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

The bill from the House of Assembly, entitled

An act to incorporate the Chancery of the Order of United Americans of the State of New Jersey,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly, pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Somers, Smith, Stults—14.

NAYS—Messrs. Alexander, (Pres.) Howell, Hoxsey, Robertson—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with out amendment.

The bill entitled,

A supplement to an act entitled "An act to incorporate the

Elizabethtown Savings Institution," approved March first, eighteen hundred and fifty,

Was taken up, read a second time, considered by sections, amended and agreed to, the amendments ordered to be engrossed and the bill to have a third reading.

The bill entitled,

A supplement to the act entitled "an act to incorporate the Warren Railroad Company,"

And the amendments proposed by Mr. Chetwood to the proviso offered by Mr. Hoxsey to the first section of said bill, which was under consideration some days since, when the Senate adjourned,

Was taken up, and the consideration of the same resumed.

Mr. Allen moved that both the proviso and the amendment be laid on the table.

Which motion was agreed to, and the same laid on the table.

The first section of said bill was then agreed to.

Pending the consideration of the preamble,

Mr. A. V. Bonnell moved that the further consideration of said bill be postponed until the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Depew Hoxsey, Rea, Robertson, Somers—8.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—11.

So said motion was not agreed to.

The preamble was then agreed to, and the title considered and agreed to.

Said bill having been read a second time, considered by sec-

tions, amended and agreed to, was ordered to be engrossed and have a third reading.

The bill entitled,

An act to repeal an act entitled "a further supplement to the act entitled an act against usury," approved April tenth, eighteen hundred and forty-six, which said supplement was approved March second, eighteen hundred and torty-four,

Which was postponed some days since, pending the consideration of the first and only section thereof,

Was taken up, and said section considered and agreed to, and the title considered, amended and agreed to, and the bill ordered to be engrossed and have a third reading.

On motion of Mr. Martin,

The Senate then adjourned.

THURSDAY, February 22, 1855.

At ten o'clock the Senate met.

The session was opened with prayer by the Rev. A. D. White.

The journal of the previous day was read and approved.

Mr. Chetwood presented a petition from Joseph C. Hornblow-

er and others, citizens of Newark, representing that the Railroad track now laid down in Broad street, from the Morris and Essex Railroad avenue through Park Place and Centre street, is a public nuisance; and praying the passage of a law authorizing the removal of said railroad track.

Which was read and referred to the Committee on the Judiciary.

Mr. Robertson presented a petition signed by four hundred and seventy-two inhabitants of the village of Boonton, in the county of Morris, in favor of the passage of the law for the suppression of intemperance.

Which was read and ordered to lie on the table.

Mr. Allen presented a remonstrance from James K. Hulme and others, residents of the townships of New Hanover, Chesterfield and Springfield, in the county of Burlington, against creating the township of Oakland, from parts of said townships.

Which was referred to the Committee on Municipal Corporations without reading.

The same Senator presented a remonstrance from Joseph Newbold and others, citizens of the same townships, upon the same subject.

Which was referred to the same Committee without reading.

The President laid before the Senate the proceedings of the Common Council of Jersey City against the passage of the law now before the Legislature relative to the Hudson Brigade, exempting the members of the brigade from jury duty, and imposing a tax upon the citizens of Hudson county.

Which was read and referred to the Committee on the Militia.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act in relation to the Census or enumeration of the inhabitants of this State,

Also,

The bill entitled,

An act to create the county of Union,

Also,

The amendments made in the Senate to

The bill from the House of Assembly entitled,

An act for the Suppression of Intemperance,

And find the same to be severally correctly engrossed.

Mr. Somers, from the Committee on Claims and Pensions, to which was referred the petition of Mary Carter, Reported

A bill entitled,

An act for the relief of Mary Carter, widow of John Carter, deceased, of the county of Burlington.

The bill from the House of Assembly entitled,
An act for the Suppression of Intemperance,
And the amendments made thereto in the Senate,

Being the special order for the day,

Were taken up.

Mr. Howell moved that the consideration of the same be postponed until the afternoon.

Which motion was agreed to, and the consideration thereof postponed accordingly.

The engrossed bill entitled,

An act in relation to the Census or enumeration of the inhabitants of this State,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Smith, Swain—11.

NAYS—Messrs. I. Bonnell, Depew, Rea, Robertson, Somers, Stults—6.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled

An act to authorize the erection of a draw or swing bridge over Mullicas river,

Was taken up and read a third time.

Mr. Allen moved that the further consideration of the same be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Cowperthwaite, Franklin, Laird, Martin, Smith, Stults—8.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Howell, Hoxsey, Rea, Robertson, Somers, Swain—9.

So said motion was not agreed to.

The same Senator then moved that the vote by which said bill was ordered to be engrossed and have a third reading, be re-considered, and the bill be re-committed.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Martin, Smith, Stults, Swain—7.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Cowperth-

waite, Depew, Franklin, Howell, Hoxsey, Laird, Rea, Robertson, Somers—11.

So said motion was not agreed to.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Martin, Smith, Stults—6.

NAYS—Messrs. Alexander, (Pres.), I. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Rea, Robertson, Somers, Swain—12.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill from the House of Assembly, entitled

An act to authorize the inhabitants of the City of New Brunswick, (School District No. 1) of the township of North Brunswick, county of Middlesex, to elect a Board of Education,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

The bill from the House of Assembly, entitled

An act to incorporate the Harmony Fire Company of the City of Trenton;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

An act to incorporate the Belvidere Reservoir and Water Company,

Was taken up, read for the first time by its title, and ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

A supplement to the act entitled "an act for the punishment of Crimes;"

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly entitled

An act relative to the last will Hannah Phinny, late of the borough of Elizabeth, in the county of Essex, in this State;

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill entitled,

A further supplement to the act entitled "An act to incorporate the Morris and Essex Railroad Company," passed the twenty-ninth day of January, eighteen hundred and thirty-five,

And the amendments made thereto in the House of Assembly,

Was taken up, and the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

Mr. Hoxsey from the Committee on the Judiciary, to which was referred

The bill entitled,

An act to encourage the emigration and settlement of the free people of color of New Jersey, in Liberia,

Also,

The bill entitled,

A further supplement to an act entitled "An act for the better relief and employment of the Poor of the county of Salem,"

Also,

The bill entitled,

An act in relation to Justices of the Peace.

Also,

The bill entitled,

An act to secure to owners, lumber found adrift in the river Delaware.

Reported the same, severally,
Without amendment.

The bill entitled,

An act relative to the Lunatic Asylum,

Which was postponed a few days since, pending the consideration of the substitute offered by Mr. Smith, for the first section of said bill, as follows:

1. BE IT ENACTED, *by the Senate and General Assembly of the State of New Jersey*, That the sum of one dollar for each county patient per week, be paid by the Treasurer on the warrant of the Governor to the manager of the Asylum upon a statement furnished quarterly by the Superintendent, giving the number of such county patients, which may have been thus supported in said Asylum during said quarter, and that said statement be filed in the State Treasury Department,

Was taken up.

Mr. Hoxsey moved to amend said substitute by striking out the words "*one dollar*," and inserting the words "*seventy-five cents*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I Bonnell, Depew, Franklin, Hoxsey, Rea, Robertson, Somers, Smith, Stults—10.

NAYS—Messrs. A. V. Bonnell, Chetwood, Cowperthwaite, Laird, Martin, Swain—6.

So said amendment

Was agreed to.

The substitute as amended was then agreed to.

Mr. Laird moved that the vote by which the third section was agreed to,

Be re-considered for the purpose of amending the same;

Which motion was agreed to, and the vote re-considered accordingly.

The third section was then amended and agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

The bill entitled,

An act to divide the township of Mansfield, in the county of Warren, and to set off a new township in said county, to be called the township of Beattystown,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to provide for the improvement of the dam at Scudder's Falls, in the river Delaware,

Was taken up and read a second time, considered by sections, amended and agreed to.

Mr. I. Bonnell moved that the vote by which the fifth section was agreed to,

Be re-considered for the purpose of amending the same.

Which motion was agreed to, and the vote re-considered accordingly.

Said section was then considered, amended and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

A further supplement to the act entitled "An act respecting the Orphans' Court and the power and authority of surrogates,"

Was taken up, read a second time, considered by sections, amended and agreed to, the amendments ordered to be engrossed and the bill to have a third reading.

A message was received from the House of Assembly, by the hands of Mr. Vroom, their Clerk, as follows:

HOUSE OF ASSEMBLY, February 22, 1855.

Mr. President:

I am directed to inform the Senate that the Assembly has concurred in the amendments made by the Senate to

The bill entitled,

A supplement to an act entitled "An act to incorporate the Newark Plank Road and Ferry Company," approved February twenty-fourth, eighteen hundred and forty-nine,

And has caused said bill to be re-engrossed, the amendments to be embodied therein, and has passed the same.

PETER D. VROOM, Clerk.

The bill entitled,

An act to incorporate the Dover Mining and Manufacturing Company,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to confirm the title of the Masonic Lodge, No. 14, of Mount Holly, to certain real estate,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled

A further supplement to an act entitled "An act for the better relief and employment of the Poor of the county of Salem,"

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

Mr. Smith gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled

A supplement to the act entitled "An act to enable the owners of the tide-swamp and marshes to improve the same, and the owners of meadow already banked in and held by different persons, to keep the same in good repair," passed the twenty-ninth of November, seventeen hundred and eighty-eight.

On motion of Mr. Howell,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly, entitled,

An act to incorporate the Harmony Fire Company, of the city of Trenton,

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Belvidere Reservoir and Water Company,

Reported the same,
Without amendment.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate, No. 64, entitled,

An act to incorporate the Lime and Cement Company of the township of Elizabeth.

DANIEL D. DEPEW,
Ch'm of said Committee.

February 22, 1855.

Mr. A. V. Bonnell, from the Committee on Education, to which was referred

The bill from the House of Assembly entitled,

An act to authorize the inhabitants of the city of New Brunswick, (School District No. 1,) of the township of North Brunswick, county of Middlesex, to elect a Board of Education,

Reported the same,
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The amendments made by the Senate to

The bill from the House of Assembly entitled,

An act to incorporate "the Trenton Oil Cloth Manufacturing Company," in the county of Mercer.

Also,

The amendments made in the Senate to

The bill from the House of Assembly entitled,

An act to incorporate the Jefferson Quarry Company;

And find the same to be severally correctly engrossed.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 22, 1855.

Mr. President:

I am directed by the House of Assembly to inform the Senate that the House of Assembly has passed

The bill entitled,

A Further Supplement to the act entitled "an act concerning Taxes," approved April fourteenth, eighteen hundred and forty-six.

Also,

The bill entitled,

A Supplement to the "Act relative to Commissioners for taking the Acknowledgment and Proof of Deeds," approved April fifteenth, eighteen hundred and forty-six.

Also,

The bill entitled,

A Further Supplement to the Act entitled "An Act against Usury," approved April tenth, eighteen hundred and forty-six.

Also,

The bill entitled,

A Supplement to an act entitled "An act to incorporate the Williamstown and Good Intent Turnpike Company."

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill from the House of Assembly entitled,

An act for the Suppression of Intemperance.

And the amendments made thereto in the Senate,

Being the special order for the day,

Were taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the negative, as follows:

AYES—Messrs. Alexander, (Pres), Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Somers, Swain—9.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Depew, Laird, Martin, Rea, Robertson, Smith, Stults—10.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows:

HOUSE OF ASSEMBLY, February 22, 1855.

Mr. President:—

I am directed to inform the Senate that the House of Assembly has passed

The Joint Resolution from the Senate entitled

Joint resolution relative to the purchase of Webster's Dictionary for the use of Common Schools,

Without amendment.

Also,

The bill from the Senate entitled,

An act to incorporate the Lodi Manufacturing Company,

With an amendment, in which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The Joint Resolution entitled,

Joint resolution relative to the purchase of Webster's Dictionary for the use of Common Schools,

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon :

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The bill from the House of Assembly, entitled

A further supplement to the act entitled "an act concerning taxes," approved April fourteenth, eighteen hundred and forty-six,

Was taken up, read a first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly entitled,

A Supplement to the "Act relative to Commissioners for taking the Acknowledgment and Proof of Deeds," approved April fifteenth, eighteen hundred and forty-six.

Was taken np, read for the first time by its title, and or-

dered to have a second reading, and referred to the Committee onthe Judiciary.

The bill from the House of Assembly entitled

A Further Supplement to the act entitled "an act against Usury," approved April tenth, eighteen hundred and forty-six.

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly entitled

A Supplement to an act entitled "an act to incorporate the Williamstown and Good Intent Turnpike Company,'

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Allen moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a joint resolution at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A Joint Resolution entitled

Joiat Resolution authorizing an appropriation in aid of a Church for deaf mutes;

Which was read a first time by its title, ordered to have a a second reading, and referred to the Committee on Education.

Mr. Hoxsey, from the committee on the Judiciary, to which was referred

The bill entitled,

A further Supplement to an act entitled "an act to regulate elections," passed March twelfth, one thousand eight hundred and thirty-nine.

Reported the same, severally,
Without amendment.

Mr. Bramhall, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act relative to the laying out of roads and streets in that part of the county of Hudson lying eastwardly of the Hackensack river,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

On motion of Mr. Howell,

The Senate then adjourned.

FRIDAY, February 23, 1855.

At ten o'clock the Senate met.

The session was opened with prayer by the Rev. A. D. White.

The journal of the previous day was read and approved.

Mr. A. V. Bonnell presented a remonstrance from Andrew Risler and others, citizens of the county of Hunterdon, against

the passage of the law authorizing dams to be erected in the Delaware River.

Which was read and ordered to lie on the table.

Mr. Laird presented a remonstrance from Samuel T. Satterlee and others, citizens of the township of Chesterfield, in the County of Burlington, against the passage of the law to create the township of Oakland.

Which was referred to the Committee on Municipal Corporations, without reading.

Mr Allen presented a remonstrance from Andrew J. Emley and others, citizens of the townships of New Hanover, Chesterfield and Springfield, in the county of Burlington, upon the same subject.

Which was referred to the Committee on Municipal Corporations, without reading.

The same Senator presented a letter from Daniel B. Ryall, Esq., addressed to His Excellency, the Governor, in relation to an appropriation by the State for the purpose of aiding in the erection of a church for deaf mutes.

Which was read and referred to the committee on Education.

Mr. A. V. Bonnell, from the Committee on Education, to which was referred

The Joint Resolution entitled

Joint Resolution authorizing an appropriation in aid of a Church for deaf mutes;

Reported the same,
Without amendment.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

A supplement to an act entitled "An act to incorporate the New Jersey Exploring and Mining Company," approved Feb-

ruary fifteenth, one thousand eight hundred and forty-nine, and a supplement thereto, approved February twelfth, one thousand eight hundred and fifty-two.

Also,

The bill from the House of Assembly entitled,

A Supplement to an act entitled "An act to incorporate the Williamstown and Good Intent Turnpike Company."

Reported the same, severally,
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to provide for the improvement of the dam in the river Delaware, at Scudder's Falls,

And find the same to be correctly engrossed.

Mr. Martin from the special committee to which was referred so much of the Governor's Message as relates to the working of township and county roads, reported

A bill entitled,

A supplement to an act entitled "An act concerning Roads," approved April sixteenth, eighteen hundred and forty-six,

Which was read for the first time by its title, and ordered to have a second reading.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate Joint Resolution No. 1, entitled,

Joint resolution relative to the purchase of Webster's Dictionary for the use of Common Schools.

DANIEL D. DEPEW,
Ch'm of said Committee.

February 22, 1855.

Mr. Martin moved that the vote by which

The bill from the House of Assembly, entitled

An act for the suppression of Intemperance,

And the amendments made thereto in the Senate,

Was disagreed to yesterday upon its final passage,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Somers, Swain—8.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Laird, Rea, Robertson, Stults—8.

So said motion

Was not agreed to.

Mr. Franklin moved the vote by which

The bill from the House of Assembly, entitled

An act to authorize the erection of a draw or swing bridge over Mullicas river,

Was disagreed to yesterday upon its final passage,

Be re-considered;

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Stults, Swain—9.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Laird, Rea, Robertson, Somers—7.

So said motion was agreed to, and the vote re-considered accordingly.

Mr. Allen moved that said bill be re-committed to the Committee on the Judiciary.

Which motion was agreed to, and said bill be re-committed accordingly.

The engrossed bill entitled,

An act to provide for the improvement of the dam at Scudder's Falls, in the river Delaware,

Was taken up and read a third time, and

On motion of Mr. Howell, the further consideration of said bill postponed for the present.

The bill from the House of Assembly entitled,

An act to incorporate "the Trenton Oil Cloth Manufacturing Company," in the county of Mercer,

And the amendments made thereto in the Senate,

Were taken up and read a third time, and

By the unanimous consent of the Senate further amended.

Upon the question,

Shall this bill from the House of Assembly, as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Stults, Swain—12.

NAYS—Messrs. Depew, Rea, Robertson, Somers—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the

Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is reqnested.

Mr. A. V. Bonnell, chairman of the Senate Joint Committee on Treasurer's accounts, presented the following report, accompanied by the annual report of the State Treasurer.

(For Report and Documents see Appendix.)

On motion of Mr. Allen, the reading of the same was dispensed with, and one thousand copies of the report and documents ordered to be printed under the direction of the Committee for the use of the Senate.

Mr. Allen from the Committee on the Judiciary to which was referred,

The bill entitled,

An act relative to the laying out of roads and streets in that part of the county of Hudson lying eastwardly of the Hackensack river,

Reported the same,
Without amendment.

The bill entitled,

An act for the incorporation of vessel building associations,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

An act to secure to owners, lumber found adrift in the river Delaware,

Was taken up, read a second time and the first and second sections considered, amended and agreed to.

Mr. I. Bonnell moved that the vote by which the first section was agreed to,

Be re-considered;

Which motion was agreed to, and the vote re-considered accordingly.

The first section of said bill, as follows:

1. BE IT ENACTED, *by the Senate and General Assembly of the State of New Jersey*, That all persons taking up drift lumber in any of the rivers running through or bordering on this state, and securing the same, and who shall, in all things, comply with the regulations hereinafter contained, shall be entitled to demand and have of the owners of the same, as a full compensation for their expense and labor, the following sums, that is to say. for single logs, twelve and a half cents; for sections of rafts containing not less than ten, nor more than twenty, ten cents for each log; for sections containing over twenty, and less than one hundred, six and a quarter cents for each log: and for a whole raft the sum of five dollars: and for boards, as follows, viz: for all parts of rafts containing five thousand feet, and less than ten thousand feet, twenty-five cents for each and every thousand feet: and for all parts of rafts over ten thousand feet, and less than twenty thousand, twenty cents for each and every thousand feet: and for full rafts, the sum of five dollars,

Being under consideration,

Mr. I. Bonnell moved to amend the same by striking out in the ninth line the word *"five"* and inserting the word *"seven"* in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion to amend, were as follows:

AYES—Messrs. A. V. Bonnell, I. Bonnell, Rea, Robertson, Somers—5.

NAYS—Messrs. Alexander, (Pres.) Allen, Chetwood, Cowperthwaite, Depew, Franklin, Martin—7.

So said motion

Was not agreed to.

Said section was then agreed to.

The remaining sections of said bill were then considered and

agreed to, and the bill ordered to be engrossed and the bill to have a third reading.

The bill entitled,

An act for the relief of Mary Carter, widow of John Carter, deceased, of the county of Burlington,

Was taken up and read for the first time by its title, and ordered to have a second reading.

Mr. Allen moved a suspension of so much of the twenty-fifth rule as prescribes that three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its second reading at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up, read a second time, considered by sections, amended and agreed to, was ordered to be engrossed and have a third reading.

Mr. Rea offered the following resolution:

Resolved, That when the Senate adjourns, it adjourn to meet again on Monday next, at three o'clock, P. M.

Which was read.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (Pres.), I. Bonnell, Cowperthwaite, Depew, Rea, Robertson, Somers—7.

NAYS—Messrs Allen, A. V. Bonnell, Chetwood, Franklin, Howell, Martin,—6.

So said resolution was agreed to.

Mr. Robertson moved that the Senate adjourn.

Which motion was not agreed to.

The bill from the House of Assembly, entitled

An act to authorize and enable the City of Trenton to purchase a part or the whole of the capital stock of the Trenton Water Works Company;

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to repeal an act entitled "An act to protect fish in the Swartwout pond, in the county of Sussex,

Was taken up, read a second time, the first and only section thereof considered, and agreed to, the bill ordered to have a third reading.

Mr. I. Bonnell moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative, as follows:

Ayes—Messrs. Alexander, (Pres.) Allen, Martin, Stults,—4

Nays—Messrs. A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Robertson, Somers—9.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill from the House of Assembly entitled,

A further supplement to the act entitled "An act for the preservation of Sheep," approved April fourteen, one thousand eight hundred and forty-six,

Was taken up, read a second time, considered and agreed to and ordered to have a third reading.

The bill from the House of Assembly entitled,

An act to incorporate the Clinton Iron Mining and Manufacturing Company,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

An act to authorize the inhabitants of the city of New Brunswick, (School District No. 1,) of the township of North Brunswick, county of Middlesex, to elect a Board of Education,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

Mr. Martin, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Peapack and Plainfield Railroad Company,

Which was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled,

An act to incorporate the Harmony Fire Company, of the city of Trenton,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to authorize the inhabitants of Millville and Maurice River, in the county of Cumberland, to vote by ballot at their town-meetings,

Which was read a second time some days since, considered by sections, agreed to, and postponed,

Was taken up.

Mr. Howell moved that the vote by which the first section was agreed to,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Said section was then considered, amended, and agreed to.

The same Senator then moved that the vote by which the second section was agreed to,

Be re-considered.

Which motion was agreed to, and the vote re-considered.

Said section was then considered, amended, and agreed to.

The same Senator moved that the vote by which the fifth section was agreed to

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Said section was then amended and agreed to.

The same Senator moved that the vote by which the seventh section was agreed to,

Be re-considered.

Which motion was agreed to, and the vote re-considered.

Said section was then considered, amended and agreed to.

The title of said bill was then considered, amended and agreed to, the amendments ordered to be engrossed, and the bill to have a third reading.

The bill from the House of Assembly entitled,

An act for the relief of the Trustees of the Methodist Episcopal Church, at Mount Holly, in the county of Burlington;

Was taken up, read a second time, the first and only section thereof considered and agreed to, and the bill ordered to have a third reading.

The bill from the House of Assembly entitled,

An act for the preservation of Terrapin;

Was taken up, read a second time, considered by sections, agreed to, and ordered to have a third reading.

On motion of Mr. Howell,

The Senate then adjourned.

MONDAY, February 26, 1855.

At 3 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

Under the direction of the President, the Secretary proceeded to call the Senate, when the following named Senators appeared in their seats and answered the call:

Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Rea, Stults, Swain—10.

There being no quorum present,

On motion of Mr. A. V. Bonnell, the Sergeant-at-arms was dispatched for the absentees.

After a short absence the Sergeant-at-arms reported that no other Senators could be found in the city—whereupon,

On motion of Mr. A. V. Bonnell,
The Senate then adjourned.

TUESDAY, February 27, 1855.

At ten o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of Friday and yesterday was read and approved.

Mr. Stults presented a petition from J. V. D. Joline and others, citizens of Princeton, praying the passage of the law authorizing the New Jersey Railroad and Transportation Company to straighten the route of their road at Newark, and to build a bridge across the Passaic river at the foot of Market street.

Which was ordered to lie on the table, without reading.

Mr. Chetwood presented a petition from L. P. Mockridge and others, citizens of Newark, upon the same subject.

Which was ordered to lie on the table, without reading.

Mr. Swain presented three petitions from sundry inhabitants of the State, representing that in consequence of the practice of catching salt water Terrapin in the waters of the State, in seines and other ways during the spring and summer months, when they congregate for the purpose of breeding, this valuable and nutritious article of food is in danger of becoming extinct; and praying the passage of a law prohibiting under restrictive penalties, the catching, vending, or having in possession the article of salt water terrapin, between the first day of March and the first day of October.

Which was ordered to lie on the table, without reading.

Mr. Chetwood from the Committee on Corporations, to which was referred

The bill entitled,

An act to incorporate the Peapack and Plainfield Railroad Company,

Reported the same,
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A supplement to the act entitled "An act for the relief of the State of New Jersey, in relation to the estate of John G. Leake, deceased," passed the fifteenth day of March in the year of our Lord one thousand eight hundred and thirty-seven:

Also,

The bill entitled,

A further supplement to the act entitled "An act respecting the Orphans' Court and the power and authority of surrogates,"

Also,

The bill entitled,

A Further Supplement to the Acts entitled "An Act against Usury," approved March twenty-fifth, eighteen hundred and fifty-two, and March second, eighteen hundred and fifty-four;

Also,

The bill entitled,

A further supplement to the act entitled "An act to incorporate Jersey City," approved the eighteenth day of March, eighteen hundred and fifty-one:

Also,

The bill entitled,

An act to authorize the "Trustees of the incorporated district of Chester" to sell their school house and lot,

Also,

The bill entitled,

A supplement to an act entitled "An act to incorporate the Elizabethtown Savings Institution," approved March first eighteen hundred and fifty,

Also,

The re-engrossed bill entitled,

A further supplement to the act entitled "An act to incorporate the Morris and Essex Railroad Company," passed the twenty-ninth day of January, eighteen hundred and thirty-five,

Also,

The amendments made in the Senate to

The bill from the House of Assembly entitled

A supplement to an act entitled 'an act to incorporate the Trenton Saving Fund Society," passed the seventh day of March, eighteen hundred and forty-four,

Also,

The bill from the House of Assembly entitled

An act to incorporate the Camden Market Company :

Also, to

The bill from the House of Assembly entitled

An act to incorporate the Ocean Port Steamboat Company :

Also, to

The bill from the House of Assembly entitled,

An act to incorporate the Farmers' and Oystermen's Independent Steamboat Association.

And find the same to be severally correctly engrossed.

Mr. Roberts asked permission to have his vote recorded upon the vote by which

The bill from the House of Assembly entitled,

An act for the Suppression of Intemperance,

And the amendments made thereto in the Senate,

Were disagreed to upon their final passage on Thursday last during his absence.

Mr. Allen moved that the Senator have leave to record his vote.

Which motion

Was agreed to.

The Senator being called by the Secretary, voted in the negative.

Whereupon it was ordered that his vote be so recorded.

Mr. Hoxsey from the Committee on the Judiciary, to which was re-committed

The bill from the House of Assembly, entitled

An act to authorize the erection of a draw or swing bridge over Mullicas river,

Reported the same

With amendments.

The same Senator from the same committee to which was referred

The bill from the House of Assembly entitled,

A further supplement to the act entitled "An act against Usury," approved April tenth, eighteen hundred and forty-six;

Also,

The bill from the House of Assembly, entitled

An act relative to the last will of Hannah Phinny, late of the borough of Elizabeth, in the county of Essex, in this State;

Also,

The bill from the House of Assembly, entitled

A Supplement to the "Act relative to Commissioners for taking the Acknowledgment and Proof of Deeds," approved April fifteenth, eighteen hundred and forty-six.

Reported the same, severally,
Without amendment.

Mr. Rea, from the Committee on Municipal Corporations, to which was referred

The bill from the House of Assembly, entitled

An act to incorporate the City of Hoboken,

Reported the same,
With amendments.

Mr. A. V. Bonnell moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a joint resolution at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to authorize the Trustees of the Methodist Episcopal Church at Cedar Grove, in the county of Mercer, to sell and convey certain real estate.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Howell moved a suspension of so much of the twenty-third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act for the relief of stockholders holding stock in the incorporated companies of this state.

Which was read a first time by its title, ordered to have a a second reading, and referred to the Committee on the Judiciary.

Mr. Hoxsey from the Joint Committee of the two Houses appointed in conformity with a communication from His Excellency, Governor Price, relative to the encroachments upon the Bay and Harbor of New York, presented a report accompanied by a letter from Egbert L. Viele, State Topographical Engineer, as follows:

(For Report and Letter, see Appendix.)

Which report was read and accepted.

On motion of Mr. Bramhall,

It was ordered, That one thousand copies of said report and accompanying letter be printed under the direction of the Committee for the use of the use of the Senate.

The Joint Resolution accompanying said report, entitled,

Joint Resolution in relation to the Harbor of New York,

Was taken up, and read for the first time by its title, and ordered to have a second reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 23, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

An act to incorporate the Hudson Land and Improvement Company,

Also,

The bill entitled,

A supplement to an act entitled "An act to secure to mechanics and others payment for their labor and materials, in erecting any building." approved March eleven, eighteen hundred and fifty-three;

Also,

The bill entitled,

An act to change the names of Charles Duch and Maria Duch, his wife, of Hoboken, in the county of Hudson;

Also,

The bill entitled,

An act to incorporate the West Jersey and Philadelphia Pressed Brick Company;

Also,

The bill entitled,

An act supplement to an act to establish a uniform standard of weights and measures in this state," approved April seventeenth, eighteen hundred and forty-six:

Also,

The bill entitled,

An act to incorporate the New New Brunswick Sacred Music Society:

Also,

The bill entitled,

An act supplementary to the act entitled "an act to incorporate the New Jersey, Hudson, and Delaware Railroad Company," passed March eighth, eighteen hundred and thirty-two:

Also,

The bill entitled,

An act to authorize the Rector, Wardens and Vestrymen of Christ Church, at Newton, Sussex County, to sell a certain lot of land, held in trust by them:

Also,

The bill entitled,

A supplement to the act entitled "an act to incorporate the Belvidere Delaware Railroad Company," passed the second of March, one thousand eight hundred and thirty-six;

Also,

The bill entitled,

An act for the protection and relief of Mechanics and Laborers,

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has passed,

The bill from the Senate entitled,

An act to incorporate the Philadelphia and Cape Island Telgraph Company,

With amendments.

In which amendments the concurrence of the Senate is requested.

P. D. VROOM, Clerk

Mr. Robertson moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act for the relief of the President and Trustees of the Methodist Episcopal Church in the village of Madison, in the township of Chatham, in the county of Morris and state of New Jersey.

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Smith, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to the act entitled "An act to enable the owners of the tide-swamp and marshes to improve the same, and the owners of meadow already banked in and held by different persons, to keep the same in good repair," passed the twenty-ninth of November, seventeen hundred and eighty-eight.

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

Mr. Somers moved that

The bill from the House of Assembly, entitled

An act to authorize the erection of a draw or swing bridge over Mullicas river,

And the amendments made to the same by the Committee on the Judiciary,

Be re-printed.

Which motion was not agreed to.

The re-engrossed bill entitled,

Further supplement to the act entitled 'an act to incorporate the Morris and Essex Railroad Company,' passed the twenty-ninth day of January, eighteen hundred and thirty-five,

Was taken up, and having been read a third time,

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—Mr. Chetwood,—1.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The engrossed bill entitled,

Supplement to an act entitled 'an act to incorporate the Elizabethtown Savings Institution,' approved March first, eighteen hundred and fifty,

Was taken up, and read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows?

Ayes—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—15.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

Supplement to the act entitled 'an act for the relief of the state of New Jersey in relation to the estate of John G. Leake, deceased,' passed the fifteenth day of March, in the year of our Lord one thousand eight hundred and thirty-seven,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Roberts, Robertson, Somers, Stults, Swain—15.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to repeal an act entitled "a further supplement to the act entitled an act against usury," approved April tenth, eighteen hundred and forty-six, which said supplement was approved March second, eighteen hundred and fifty-four,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Cowperthwaite, Rea. Robertson, Stults,—6.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Chetwood, Franklin, Howell, Hoxsey, Somers, Swain—8.

A message was received from His Excellency, the Governor by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, February 26, 1855.

Mr. President;

I have this day approved and signed the following bills, which originated in the Senate, viz:

An act to authorize the sale of certain real estate in the county of Warren, whereof Abraham Arndt died seized,

An act relative to the quantity of land that may be held by certain railroad companies;

An act to incorporate the Lime and Cement Company of the township of Elizabeth.

RODMAN M. PRICE.

The engrossed bill entitled,

Further supplement to the act entitled 'an act respecting the orphans' court, and the power and authority of surrogates,'

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to authorize the trustees of the incorporated district of Chester to sell their school house and lot,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres) A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly entitled,

An act to incorporate the Camden Market Company,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—14.

NAYS—Mr. Alexander, (Pres.)—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly, entitled

Supplement to an act entitled 'an act to incorporate the Trenton Saving Fund Society,' passed the seventh day of March, eighteen hundred and forty-four,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly, entitled

An act to authorize the inhabitants of the City of New Brunswick, (School District No. 1) of the township of North Brunswick, county of Middlesex, to elect a Board of Education,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood Cowperthwaite, Franklin, Howell, Hoxsey, Rea, Robertson, Somers, Stults, Swain—14.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

The bill from the House of Assembly entitled,

An act to incorporate the Jefferson Quarry Company,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly, as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Franklin, Howell, Hoxsey, Martin, Rea, Robertson, Somers, Stults, Swain—13.

NAYS—Mr. Alexander, (Pres.)—1.

Ordered, That the President sign said bill, the Secretary carry it to he House of Assembly, and inform them that the Senate has paseed said bill from the House of Assembly with sundry amendments, in which amendments their concurrence is requested.

The bill from the House of Assembly entitled,

An act to incorporate the Clinton Iron and Manufacturing Company,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Somers, Stults, Swain—12.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Hoxsey—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly, entitled

An act to renew and re-establish an act entitled 'an act to incorporate the Mount Holly and Camden Railroad Company,, approved February eleventh, eighteen hundred and forty-eight, and supplemental thereto,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts—7.

NAYS—Messrs. Alexander, (Pres.) A V. Bonnell, Bramhall, Hoxsey, Rea, Robertson, Somers, Stults, Swain—9.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill from the House of Assembly entitled,

An act to authorize and enable the City of Trenton to purchase a part or the whole of the capital stock of the Trenton Water Works Company;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs: Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Rea, Roberts, Robertson, Somers, Stults, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled

An act for the preservation of Terrapin,

Was taken up and read a third time.

Mr. Allen moved that the further consideration of said bill be postponed for the present.

Which motion was not agreed to.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Rea, Somers, Stults—13.

NAYS—Messrs. Robertson, Swain—2.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled

An act to incorporate the Harmony Fire Company of the City of Trenton;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Rea, Robertson, Somers, Stults, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

The bill from the House of Assembly entitled,

An act for the relief of the Trustees of the Methodist Episcopal Church, at Mount Holly, in the County of Burlington,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Rea, Robertson, Somers, Stults, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

Mr. Stults moved that the vote by which

The bill from the House of Assembly entitled

An act to renew and re-establish an act entitled 'an act to incorporate the Mount Holly and Camden Railroad Company,'

approved February eleventh, eighteen hundred and forty-eight, and supplemental thereto,

Was disagreed to upon its final passage,

Be re-considered.

Which motion was agreed to, the vote re-considered, and the bill ordered to stand upon its third reading.

On motion of Mr. Chetwood,

The Senate then adjourned.

At three o'clock the Senate met.

Mr. Robertson presented a petition from the Trustees of the Methodist Episcopal Church in the village of Madison, in the township of Chatham, in the county of Morris, and State of New Jersey, asking the passage of a law changing the name of said Trustees to "the Trustees of the Methodist Episcopal Church, in Madison,"

Which was read, and ordered to lie on the table.

Mr. A. V. Bonnell presented a petition from the pastor and members of the Methodist Episcopal Church at Cedar Grove, Mercer County, representing that said Church is no longer of

any benefit to the congregation for which it was erected, a large majority of the congregation now worshipping in the Methodist Church at Princeton, and praying the passage of a law authorizing the Trustees of said church to sell the church and lot upon which it stands, and appropriate the proceeds to the relief of the Church at Princeton.

Which was read and referred to the committee on the Judiciary.

Mr. Rea presented a remonstrance from John M. Sherred and others, citizens of the county of Warren, against the passage of the act entitled "an act for the improvement of the dam in the river Delaware, at Scudder's Falls," now before the Senate.

Which was ordered to lie on the table, without reading.

The same Senator presented a remonstrance from J. Seigle and others, citizens of Phillipsburg, in the same county, upon the same subject.

Which was ordered to lie on the table without reading.

Mr. Bramhall presented the proceedings of a meeting of the Common Council of Jersey City, together with a resolution of said Common Council remonstrating against the passage of the act entitled "An act relating to the Hudson Brigade," now before the Legislature.

Which was referred to the Committee on the Militia without reading.

Mr. Howell moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to repeal a part of an act concerning inns and taverns,

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Allen, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act relative to the Princeton Bank.

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The same Senator moved that the vote by which

The bill entitled,

An act to secure to owners, lumber found adrift in the river Delaware,

Was ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and the vote reconsidered accordingly.

The same Senator moved that the vote by which the first section section was agreed to,

Be re-considered;

Which motion was agreed to, and the vote re-considered.

The same Senator moved to amend said section by striking out the word '*eighteen*,' which was inserted in the place of the words '*twelve and a half*,' in the sixth line on a former reading of the bill, and restore the words '*twelve and a half*.'

Which motion was agreed to.

The section as amended was then agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A supplement to the the act entitled "An act to incorporate the Warren Railroad Company,"

And find the same to be correctly engrossed.

The bill from the House of Assembly entitled,

An act to incorporate the New Brunswick Sacred Music Society,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

An act to incorporate the Hudson Land and Improvement Company,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to secure to mechanics and others payment for their labor and materials, in erecting any building." approved March eleven, eighteen hundred and fifty-three;

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly entitled,

An act to change the names of Charles Duch and Maria Duch, his wife, of Hoboken, in the county of Hudson,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly, entitled,

An act to incorporate the West Jersey and Philadelphia Pressed Brick Company;

Was taken up, read for the first time by its title, and ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

An act supplement to an act to establish a uniform standard of weights and measures in this state," approved April seventeenth, eighteen hundred and forty-six,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee ont the Judiciary.

The bill from the House of Assembly, entitled

An act supplementary to the act entitled "an act to incorporate the New Jersey, Hudson, and Delaware Railroad Company," passed March eighth, eighteen hundred and thirty-two,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to authorize the Rector, Wardens and Vestrymen of Christ Church, at Newton, Sussex County, to sell a certain lot of land, held in trust by them:

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly entitled

A supplement to the act entitled "an act to incorporate the Belvidere Delaware Railroad Company," passed the second of March, one thousand eight hundred and thirty-six;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled

An act for the protection and relief of Mechanics and Laborers,

Was taken up, read a first time by its title, ordered to have a a second reading, and referred to the Committee on the Judiciary.

Mr. Hoxsey from the Committee on the Judiciary to which was referred,

The bill entitled,

An act to authorize the Trustees of the Methodist Episcopal Church at Cedar Grove, in the county of Mercer, to sell and convey certain real estate.

Also,

The bill entitled,

An act for the relief of stockholders holding stock in the incorporated companies of this state.

Reported the same, severally,
Without amendment.

The bill from the House of Assembly entitled,

An act to incorporate the Farmers and Oystermans Independent Steamboat ssociation,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass ?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Robertson, Stults, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary car-

ry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows:

HOUSE OF ASSEMBLY, February 27, 1855.

Mr. President:—

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled

An act to authorize the erection of a draw or swing bridge over the North Branch of Rancocas Creek:

Also,

The bill entitled,

An act to change the time of holding the town meetings in the township of Hamilton, in the county of Mercer:

Also,

The bill entitled,

A further supplement to "An act to authorize the inhabitants of the township of Bloomfield, in the county of Essex, to raise money for the support of free schools," approved March first, one thousand eight hundred and forty-nine:

Also,

The bill entitled,

An act to authorize The Trustees of the Newark Academy to sell and convey certain real estate, in the city of Newark:

Also,

The bill entitled,

A further supplement to the act entitled "an act to authorize the business of Banking," approved February twenty-seventh, eighteen hundred and fifty;

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly have concurred in the amendments made by the Senate to

The bill entitled,

An act to incorporate "the Trenton Oil Cloth Manufacturing Company," in the county of Mercer,

And have caused the said bill to be engrossed, and the amendments to be embodied therein, and have passed the same.

P. D. VROOM, Clerk.

The bill from the House of Assembly entitled,

An act to incorporate the Ocean Port Steamboat Company;

And the amendments made thereto in the Senate,

Was taken up, and read a third time,

Upon the question,

Shall this bill from the House of Assembly, as amended, pass?

It was decided in the affirmative, as follows?

AYES—Messrs. Alexander, (Pres) Allen, A V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Robertson, Stults, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly, entitled

A further supplement to "an act to authorize the inhabitants of the township of Bloomfield, in the county of Essex, to raise money for the support of free schools," approved March first, one thousand eight hundred and forty-nine,

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on Education.

The bill from the House of Assembly entitled

A further supplement to the act entitled "an act to authorize the business of Banking," approved February twenty-seventh, eighteen hundred and fifty;

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly entitled,

An act to authorize the erection of a draw or swing bridge over the North Branch of Rancocas Creek,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly, entitled

An act to authorize the Trustees of the Newark Academy, to sell and convey certain real estate, in the City of Newark,

Was taken up and read for the first time by its title ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly, entitled
An act to change the time of holding the town meetings in the township of Hamilton, in the county of Mercer.

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill entitled,

A supplement to an act entitled "An act to authorize the in-

habitants of the township of Morris, in the county of Morris, to vote by ballot at their town-meetings; passed February twenty-third, eighteen hundred and forty-three,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act relative to the laying out of roads and streets in that part of the county of Hudson lying eastwardly of the Hackensack river,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

A bill entitled,

An act for the relief of Tabitha Martin, widow of Merrick Martin, deceased, of the county of Middlesex,

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

A supplement to the act entitled "an act for the limitation of actions," approved April the sixteenth, eighteen hundred and forty-six,

Was taken up, read a second time, the first and only section considered, and agreed to, the bill ordered to be engrossed and have a third reading.

The bill entitled,

An act to encourage the emigration and settlement of the free people of color of New Jersey, in Liberia,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act in relation to Justices of the Peace,

Was taken up, read a second time, and the further consideration of the same postponed for the present.

The Joint Resolution entitled

Joint Resolution authorizing an appropriation in aid of a Church for deaf mutes;

Was taken up, read a second time, considered and agreed to, and ordered to be engrossed and have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the Mount Holly and Pemberton South Turnpike Road Company,

Was taken up, read a second time, considered and agreed to, and ordered to have a third reading.

The bill entitled,

Further supplement to the act entitled 'an act to incorporate the Morris and Essex Railroad Company,' passed the twenty-ninth day of January, eighteen hundred and thirty-five,

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon :

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The bill from the House of Assembly entitled

An act to establish the City of Elizabeth,

Was taken up, read a second time, considered by sections, amended and agreed to, the amendments ordered to be engrossed and the bill to have a third reading.

Mr. Rea from the committee on Municipal Corporations, presented the following report:

The committee on Municipal Corporations to which was referred Senate bill No. 103, entitled "an act to set off parts of the townships of Chesterfield, Springfield, and New Hanover, in the county of Burlington, into a new township to be called the township of Oakland," report said bill with a recommendation that the further consideration of the same be postponed until the next session of the Legislature.

WILLIAM REA,

Chairman said Committee.

On motion of Mr. Allen, the report was accepted, and the further consideration of said bill postponed accordingly.

On motion of Mr. Chetwood,

The Senate then adjourned.

WEDNESDAY, February 28, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Dr. Hall.

The journal of the previous day was read and approved.

Mr. Chetwood presented a petition from a Committee (appointed at a public meeting held in the city of Newark) asking a suspension of all further proceedings in reference to the act to revise and amend the charter of the city of Newark, until said committee have had time to consider its provisions and report to a public meeting of citizens to be called hereafter,

Which was read and ordered to lie on the table.

Mr. Chetwood presented a petition from sundry citizens and residents of the townships of Westfield, Plainfield, Union, New Providence, Elizabeth, Rahway, and Springfield, asking the passage of a law to set off the said townships from the county of Essex, into a new county, to be called the county of Union,

Which was ordered to lay on the table, without reading.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act for the relief of Mary Carter, widow of John Carter, deceased, of the county of Burlington,

Also,

The bill entitled,

An act to secure to owners, lumber found adrift in the river Delaware,

Also,

The bill entitled,

An act relative to the Lunatic Asylum;

Also,

The bill entitled,

A further supplement to the act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, approved the twenty-fifth day of March, eighteen hundred and fifty-two;

And find the same to be severally, correctly engrossed.

Mr. A. V. Bonnell, from the Committee on Education, to which was referred

The bill from the House of Assembly entitled,

A further supplement to "An act to authorize the inhabitants of the township of Bloomfield, in the county of Essex, to raise money for the support of free schools," approved March first, one thousand eight hundred and forty-nine:

Reported the same,
Without amendment.

The engrossed bill entitled,

An act to secure to owners, lumber found adrift in the river Delaware,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults Swain —17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill entitled,

A further supplement to an act entitled "an act to incorporate the New Jersey Railroad and Transportation Company," passed the seventh day of March, one thousand eight hundred and thirty-two,

Was taken up and read a second time.

The first section of said bill as follows—

1. *Be it enacted by the Senate and General Assembly of the state of New Jersey*, That the said New Jersey Railroad and Transportation Company be and they are hereby authorised anp invested with all the rights and powers necessary and expedient to build and construct a bridge over the Passaic river, over the Passaic river, at or near the Commercial Dock, in the city of Newark, and to extend their railroad by the direct route across said bridge to the present line in the county of Hudson, on the route and location designated in the survey and field book filed by them in the office of the secretary of state of this state,

Being under consideration,

Mr. Hoxsey moved to amend the same by adding at the end thereof a proviso as follows—

"*Provided always*, That the payment or tender of payment of all damages resulting from the erection of said bridge to all and every of the wharf and property owners on said river be made before said Company, or any person or persons under their direction or employ, shall commence the erection of said bridge; and in case the said Company or its agents cannot agree with said owner or owners as to the amount of damage as aforesaid, then the amount of damage to the property of said wharf and land owners, or their business connected therewith, shall be ascertained and determined in the manner provided in the ninth section of the act to which this is a supplement.

Pending the consideration of the same,

Mr. Hoxsey moved a call of the Senate, which being sustained and ordered,

The Secretary, under the direction of the President, proceeded to call the Senate, when the following named Senators appeared in their seats and answered the call—

Messrs. Alexander, (Pres.) A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—17.

On motion of Mr. Hoxsey, the Sergeant-at arms and his assistants were despatched for the absentees.

After a short absence, the absent Senators present in the city appearing in their seats,

On motion of Mr. Hoxsey, all further proceedings under the call were dispensed with.

Theayes and nays being demanded and ordered upon the question of agreeing to the amendment offered by Mr. Hoxsey to said section were as follows:

AYES—Messrs. Depew, Franklin, Howell, Hoxsey, Rea, Robertson, Somers, Smith,—8.

NAYS—Messrs. Alexander, (Pres), Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Martin, Roberts, Stults, Swain—10.

So said amendment was not agreed to.

Mr. Hoxsey moved to amend said section by adding a proviso at the end thereof as follows—

Provided always, That the payment or tender of payment of all damages resulting from the erection of said bridge to all and every of the wharf and property owners on said river, within half a mile of the point at which said bridge may be erected, be made before said Company, or any person or persons under their direction or employ, shall commence the erection of said bridge; and in case the said Company or its agents cannot agree with said owner or owners as to the amount of damage as aforesaid, then the amount of damage to the property of said wharf and land owners, or their business connected therewith, shall be determined in the manner provided in the 9th section of the act to which this is a supplement.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion to amend, were as follows:

AYES—Messrs. Depew, Franklin, Howell, Hoxsey, Somers, Smith, Swain—7.

NAYS—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell

Bramhall, Chetwood, Cowperthwaite, Martin, Roberts, Stults —9.

So said amendment was not agreed to.

Mr. Hoxsey moved a call of the Senate.

The call being sustained and ordered, the Secretary proceeded to call the Senate, when the following named Senators appeared in their seats and answered the call—

Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Roberts, Robertson, Somers, Smith, Stults, Swain—17.

On motion of the same Senator, all further proceedings under the call were dispensed with.

Mr. Hoxsey then moved to amend the first section of said bill by adding at the end thereof a proviso as follows—

Provided always, that the payment or tender of payment of all damages resulting from the erection of said bridge to all and every of the wharf and property owners on said river within one eighth of a mile of the point at which said bridge may be erected, be made before the said company or any person or persons under their direction or employ shall commence the erection of said bridge; and in case the said company or its agents cannot agree with said owner or owners as to the amount of damage as aforesaid, then the amount of damage to the property of said wharf and land owners or their business connected therewith, shall be ascertained and determined in the manner provided in the ninth section of the act to which this is a supplement.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Bramhall, Depew, Franklin, Howell, Hoxsey, Rea, Robertson, Somers, Smith, Swain—10.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Martin, Roberts, Stults—8.

So said amendment was agreed to.

The section as amended was then agreed to.

The second section of said bill, as follows:

2. *And be it enacted*, That the said bridge across the Passaic river shall be built with a draw that shall have two openings, of at least fifty feet in width, for the free passage of such vessels as shall pass up and down said river; and the said draw shall be constructed with piles and piers on each side, and in the centre as near as may be where the channel of said river runs; and for the safety of navigators, a light shall be kept and maintained at said draw every night; and the said company shall keep, or cause to be kept, at the said bridge, a careful person to open the said draw for the free passage of vessels; and for every wilful neglect, in opening said draw when necessary for the passage of such vessels, the said company shall forfeit the sum of twenty-five dollars, to be recovered by action of debt before any court of competent jurisdiction, and shall also be liable to an action for damages at the suit of the party aggrieved,

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word "*fifty*" in the second line and inserting the word "*eighty*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Hoxsey, Somers—2.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Robertson, Smith, Swain—14.

So said amendment was not agreed to.

The same Senator moved to amend said section by striking out the word "*fifty*" in the second line, and inserting the word "*sixty-five*" in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Cowperthwaite, Depew, Howell, Hoxsey, Rea, Robertson, Somers, Smith, Swain—10.

NAYS—Messrs. A. V. Bonnell, Bramhall, Chetwood, Franklin, Martin, Roberts, Stults—7.

So said amendment was agreed to.

Said section was then agreed to.

The third section was then considered and agreed to.

The fourth section of said bill, as follows:

4. *And be it enacted*, That it shall not be lawful to erect the bridge mentioned in the first section of this supplement, until the consent thereto, in writing, of "the proprietors of the bridges over the rivers Passaic and Hackensack," under their common seal, shall be filed in the office of the secretary of this state; and that the giving of such consent shall not, except as to the said bridge so consented to, be constructed held, or deemed in any manner to strengthen or impair any rights or privileges which the said "the proprietors of the bridges over the rivers Passaic and Hackensack' may possess, in virtue of an act entitled "an act for building bridges over the rivers Passaic and Hackensack, and for other purposes therein mentioned," passed November twenty-fourth, seventeen hundred and ninety, and the contract and agreement for building said bridges, entered into in pursuance of said act, bearing date the seventeenth day of February, seventeen hundred and ninety-three, but the same shall be and remain of the same force and effect as if this act had not beenpassed,

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out, in the fourth line, the words '*under their common seal.*'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Howell, Hoxsey, Rea, Somers—4.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Martin, Roberts, Smith, Stults, Swain—13.

So said amendment was not agreed to.

The same Senator moved to amend said section by striking out in the third and fourth lines, the words "the proprietors of the bridges over the rivers Passaic and Hackensack," and inserting in the place thereof the words "the President and Directors of the New Jersey Railroad and Transportation Company,"

Which motion

Was not agreed to.

The same Senator moved to amend said section by inserting after the word "*State*" in the fifth line, the following words: "*Provided*, that the common seal of the company shall not be used for that purpose without the consent of all the stockholders at a meeting called for that purpose."

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Howell, Hoxsey, Smith—3.

NAYS—Messrs. Alexander, (Pres.) Allen, Bramhall, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults, Swain—11.

So said amendment

Was not agreed to.

The same Senator moved to amend said section by inserting after the word "*State*" in the fifth line, the following words:—"*Provided*, that the consent in writing of nineteen-twentieths of the stockholders shall be first obtained, before such consent shall be given."

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Howell, Hoxsey, Smith—3.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, Chetwood,

Cowperthwaite, Franklin, Martin, Rea, Roberts, Robertson, Stults, Swain—11.

So said amendment

Was not agreed to.

Said section was then agreed to.

The fifth section was considered and agreed to.

The only remaining section of said bill, as follows:

6. *And be it enacted*, That this act shall be deemed and taken as a public act, and shall go into effect immediately,

Being under consideration,

Mr. Hoxsey moved to strike out said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Rea, Robertson, Somers, Smith, Swain—14.

Nays—Messrs. Chetwood, Martin, Roberts, Stults—4.

So said motion was agreed to, and the section stricken out accordingly.

Mr. Bramhall moved that the vote by which the first section was agreed to,

Be re-considered;

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Martin, Roberts, Smith, Stults—10.

NAYS—Messrs. Allen, Depew, Howell, Hoxsey, Rea, Robertson, Somers, Swain—8.

So said motion was agreed to, and the vote re-considered.

The first section of said bill was then taken up.

Mr. Chetwood moved to strike out the amendment proposed by Mr. Hoxsey to said section and agreed to by the Senate.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, Chetwood, Martin, Roberts, Stults—6.

NAYS—Messrs. Allen, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Rea, Robertson, Somers, Smith, Swain—11.

So said motion

Was not agreed to.

Mr. Chetwood moved that the further consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Martin, Roberts, Smith, Stults, Swain—12.

NAYS—Messrs. Depew, Howell, Hoxsey, Rea, Somers—5.

So said motion was agreed to, and the further consideration of said bill postponed for the present.

The bill entitled

A supplement to an act entitled "An act to incorporate the New Jersey Exploring and Mining Company," approved February fifteenth, one thousand eight hundred and forty-nine, and a supplement thereto, approved February twelfth, one thousand eight hundred and fifty-two,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Philadelphia and Cape Island Telegraph Company,

And the amendments made thereto in the House of Assembly,

Were taken up, and

On motion of Mr. Hoxsey,

It was ordered that the Secretary return said bill to the House of Assembly, and inform them that the Senate do not find any such section in said bill as was ordered to be stricken out, in the House of Assembly.

The bill entitled,

An act to incorporate the Lodi Manufacturing Company,

And the amendments made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill from the House of Assembly, entitled

An act to authorize the erection of a draw or swing bridge over the Mullicas River,

And the amendments reported by the Committee on the Judiciary to which said bill was re-committed,

Were taken up and read.

Mr. Somers moved that the further consideration of said bill be postponed until to-morrow afternoon.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. Alexander, (Pres.) Bramhall, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Somers, Smith, Swain—12.

Nays—Messrs. Allen, Stults—2.

So said motion was agreed to, and the bill postponed accordingly.

On motion of Mr. Howell,

The Senate then adjourned.

At three o'clock the Senate met.

The Secretary, under the direction of the President, proceeded to call the Senate, when the following named Senators appeared in their seats and answered the call—

Messrs. Alexander, (Pres.) Allen, Chetwood, Cowperthwaite, Depew, Howell, Martin, Robertson, Smith, Stults, Swain—11.

A quorum being present, the Senate proceeded to business.

Mr. Stults, from the Committee on Engrossed Bills, reported that they had examined

The amendments made in the Senate to

The bills from the House of Assembly severally entitled,

An act to incorporate the West Newark Cemetery Company,

An act to authorize the inhabitants of Millville, Maurice River and Deerfield, in the county of Cumberland, to vote by ballot at their town-meetings,

An act to incorporate the Burlington and Jacksonville Turnpike Company;

An act to incorporate the Union Manufacturing Company of Gloucester City, Camden county,

And find the same to be severally, correctly engrossed.

Also,

That they have examined

The amendments made in the Senate to

Joint resolution from the House of Assembly entitled

Joint resolution relative to the appointment of Commissioners to represent the State at the French National Exhibition,

And find the same to be correctly engrossed.

The bill from the House of Assembly entitled,

An act to incorporate the West Newark Cemetery Company,
And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Howell, Martin, Rea, Robertson, Smith, Stults, Swain—12.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has paseed said bill from the House of Assembly with sundry amendments, in which amendments their concurrence is requested.

The bill from the House of Assembly entitled,

An act to authorize the inhabitants of Millville, Maurice Riv-

er and Deerfield, in the county of Cumberland, to vote by ballot at their town meetings,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly, as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Roberts, Robertson, Smith, Stults, Swain—16.

NAYS—Mr. A. V. Bonnell—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, February 28, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

A further supplement to the act entitled 'an act for the preservation of Clams and Oysters,' passed the fourteenth day of April, eighteen hundred and forty-six,

Also,

The bill entitled,

An act to incorporate the Hope Hose Company, of the city of Burlington;

Also,

The bill entitled,

An act to establish a new township in the county of Camden, to be called the township of Centre;

In which the concurrence of the Senate is requested.

I am also instructed to inform the Senate that the House of Assembly has receded from the amendments inadvertently made to

The bill from the Senate entitled

An act to incorporate the Philadelphia and Cape Island Telegraph Company,

And have passed the same.

P. D. VROOM, Clerk.

The bill entitled,

An act to incorporate the Philadelphia and Cape Island Telegraph Company,

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

A message was received from His Excellency, the Governor by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, February 28, 1855.

To the
Hon. Wm. C. Alexander,
President of the Senate,

SIR: I herewith return a "Joint Resolution relative to the purchase of Webster's Dictionary for the use of Common Schools" which originated in the Senate, for reconsideration. My objections are not to the object contemplated, by the resolution, but the manner of accomplishing that object. It may involve an expenditure of between six and eight thousand dollars which is appointed and authorized to be paid by the Treasurer, by the Joint Resolution, when drawn for by the State Superintendent of Public Schools, whilst the Constitution provides, that "No money shall be drawn from the Treasury but for appropriations made by law," and further provides that the laws of the State shall begin in the following style: "Be it enacted, by the Senate and General Assembly of the State of New Jersey."

I am aware that there are many precedents for appropriation of money by Joint Resolution by previous legislation, but in my judgment it has been irregular, and not in accordance with the clear intention of the Constitution, which makes a distinction between a bill and joint resolution. Bills only require the approval of the Governor, and money can only be appropriated by a law which requires the approval of the Governor as a part of the law making power.

It is important that the practice hereafter shall be uniform, and in accordance with constitutional requirements.

It is respectfully submitted also, that this joint resolution confers too great a discretion upon a single officer. The resolution would have been much less objectionable had proper officers been authorized to contract for such a number of copies of the work as might be needed upon the best terms—and to prescribe some regulations as to the persons to require and receive the books, and be accountable for their preservation for the use intended.

I cordially approve the objects of the resolution and recommend that they may be carried out by the passage of an act embracing the amendments or modifications proposed.

RODMAN M. PRICE.

Mr. Hoxsey moved that the Senate do now go into Executive session.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres), Bramhall, Hoxsey, Rea, Robertson—5.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—11.

So said motion was not agreed to.

The Joint Resolution from the House of Assembly entitled,

Joint resolution relative to the appointment of Commissioners to represent the State at the French National Exhibition,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this joint resolution from the House of Assembly as amended pass?

It was decided in the affirmative as follows;

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Depew, Franklin, Hoxsey, Marin, Rea, Smith, Swain—11.

NAYS—Messrs. Alexander, (Pres.) Cowperthwaite, Howell, Roberts, Robertson, Stults,—6.

Ordered, That the President sign said joint resolution, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said joint resolution from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

Mr. Bramhall moved that the vote by which

The bill entitled,

A further supplement to the act entitled "An act to incorprate Jersey City." approved the eighteenth day of March, eighteen hundred and fifty-one:

Was ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and the bill re-considered.

The same Senator moved that said bill be re-committed to the Committee on Corporations.

Which motion was agreed to, and the bill re-committed.

The bill from the House of Assembly, entitled,

An act relative to the last will of Hannah Phinny, late of the borough of Elizabeth, in the county of Essex, in this State;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

A Supplement to an act entitled "an act to incorporate the Williamstown and Good Intent Turnpike Company,'

Was taken up, read a second time, considered and agreed to and ordered to have a third reading.

The bill from the House of Assembly entitled

An act to establish a new township in the county of Camden, to be called the township of Centre,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The bill from the House of Assembly entitled,

An act to incorporate the Hope Hose Company, of the city of Burlington,

Was taken up, read for the first time by its title, orderedto have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

A further supplement to an act entitled 'an act for the preservation of Clams and Oysters,' passed the fourteenth day of April, eighteen hundred and forty-six,

Was taken up, and read for the first time by its title, order-

ed to have a second reading, and referred to the committee on the Judiciary.

The Message from His Excellency the Governor, returning with his objections

The Joint Resolution entitled,

Joint resolution relative to the purchase of Webster's Dictionary for the use of Common Schools,

Was taken up and read, and ordered to lie on the table.

On motion of Mr. Hoxsey,

It was ordered, that the Message be printed.

The bill from the House of Assembly entitled,

An act to incorporate the Belvidere Reservoir and Water Company,

Was taken up, read a second time, considered and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the Odd Fellows' Hall Association, of Stewartsville, New Jersey,

Was taken up and read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

An act to vacate part of Fulton street, as laid out in the plan of Pavonia, in the county of Camden;

Was taken up, read a second time, considered and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled

An act to regulate and widen the Draws in the bridges over the Passaic river,

Was taken up, read a second time, and on motion of Mr. Bramhall, the further consideration of the same postponed for the present.

The bill from the House of Assembly, entitled

An act relative to the public schools in the Glassborough school district No. 1, in the county of Gloucester,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled

Supplement to an act entitled 'an act to incorporate the town of Belvidere,' passed the nineteenth day of March, eighteen hundred and forty-five,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

Mr. Hoxsey, from the Committee on the Judiciary, reported a bill from the Commissioners to revise the system of jurisprudence, entitled

A further supplement to an act entitled 'an act for the relief of persons imprisoned on civil process, approved April sixteenth, one thou-sand eight hundred and forty-six,

Without amendment.

The same Senator, from the same Committee, to which was referred

The bill from the House of Assembly, entitled

A supplement to the act entitled "an act for the punishment of Crimes;"

Also,

The bill from the House of Assembly, entitled

An act to change the time of holding the town meetings in the township of Hamilton, in the county of Mercer:

Also,

The bill from the House of Assembly entitled,

An act to change the names of Charles Duch and Maria Duch, his wife, of Hoboken, in the county of Hudson,

Also,

The bill from the House of Assembly entitled,

A supplement to an act entitled "An act to secure to mechanics and others payment for their labor and materials, in erecting any building." approved March eleven, eighteen hundred and fifty-three;

Also,

The bill from the House of Assembly, entitled

An act to authorize 'The Trustees of the Newark Academy sell and convey certain real estate, in the city of Newark:

Also,

The bill from the House of Assembly, entitled

An act for the protection and relief of Mechanics and Laborers,

Also,

The bill from the House of Assembly entitled,

An act to authorize the Rector, Wardens and Vestrymen of Christ Church, at Newton, Sussex County, to sell a certain lot of land, held in trust by them:

Reported the same, severally
Without amendment.

The same Senator, from the same Committee, to which was referred

The bill from the House of Assembly, entitled

An act supplement to an act to establish a uniform standard of weights and measures in this state," approved April seventeenth, eighteen hundred and forty-six,

Reported the same
With amendments.

Mr. Stults presented a memorial from Sarah Hyer, widow of William Hyer, deceased, setting forth that her husband was Clerk of the Court of Chancery of this state; that during his continuance in said office he procured at his own expense and

cost many books and folios required in said office in which to enter and record the proceedings of said Court, amounting to $184; that she is in advanced years and humble circumstances, and asking that the amount of such expenditure by her said husband may be refunded to her by the state.

Which was read, and referred to the Committee on Claims and Pensions.

On motion of Mr. Allen,

The Senate then adjourned.

THURSDAY, March 1, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Dr. Hall.

The journal of the previous day was read and approved.

Mr. Chetwood presented a petition from sundry citizens of Elizabethtown in favor of the passage of the law to authorize the New Jersey Railroad and Transportation Company to straighten the line of their road at Newark, and build a bridge across Passaic river at Market street.

Which was ordered to lay on the table, without reading.

Mr. Stults presented two petitions from citizens of Rahway upon the same subject.

Which was ordered to lie on the table without reading.

Mr. Depew presented a petition from sundry citizens of Newark upon the same subject.

Which was ordered to lie on the table without reading.

Mr. Laird presented a petition from sundry citizens of New Brunswick upon the same subject.

Which was ordered to lie on the table without reading.

Mr. I. Bonnell presented a petition from sundry citizens of Clinton upon the same subject.

Which was ordered to lie upon the table without reading.

Mr. Martin presented a petition from sundry citizens of Newark upon the same subject.

Which was ordered to lie upon the table without reading.

Mr. A. V. Bonnell presented a remonstrance from citizens of Sullivan county, in the state of New York, against the passage of the act entitled 'an act for the improvement of the dam in the river Delaware at Scudder's Falls.'

Which was ordered to lie on the table without reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly entitled

An act to incorporate the New Brunswick Sacred Music Society,

Also,

The bill from the House of Assembly entitled,

An act to incorporate the West Jersey and Philadelphia Pressed Brick Company;

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Hudson Land and Improvement Company,

Reported the same, severally,
Without amendment.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 47, entitled,

Further supplement to the act entitled 'an act to incorporate the Morris and Essex Railroad Company,' passed the twenty-ninth day of January, eighteen hundred and thirty-five,

Also,

Senate bill No. 59, entitled

An act to incorporate the Philadelphia and Cape Island Telgraph Company.

DANIEL D. DEPEW,
Ch'm of said Committee.

February 28, 1855.

The engrossed bill entitled,

An act relative to the Lunatic Asylum,

Was taken up and read a third time.

On motion of Mr. Laird, the further consideration of said bill was postponed for the present.

The bill from the House of Assembly entitled

An act to incorporate the Odd Fellows' Hall Association, of Stewartsville, New Jersey;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. A V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Somers, Smith, Swain—13.

NAYS—Messrs. Alexander, (Pres) Stults—2.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assemblyentitled,

A supplement to an act entitled "An act to incorporate the town of Belvidere," passed March nineteenth, eighteen hundred and forty-five;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), A. V. Bonnell, I. Bonnell Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Somers, Smith, Stults Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled,

An act relative to public schools in the Glassborough school district No. 1, in the county of Gloucester,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain —17.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

The bill from the House of Assembly entitled,

A further supplement to the act entitled "An act for the preservation of Sheep," approved April fourteen, one thousand eight hundred and forty-six,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

Ayes—Messrs. Alexander (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain —17.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled

An act to incorporate the Belvidere Reservoir and Water Company,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.), A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Rea, Roberts, Somers, Smith, Stults, Swain —16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly, entitled,

An act relative to the last will of Hannah Phinny, late of the borough of Elizabeth, in the county of Essex, in this State;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres), A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain —17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A supplement to an act entitled "An act to authorize the inhabitants of the township of Morris, in the county of Morris, to vote by ballot at their town-meetings; passed February twenty-third, eighteen hundred and forty-three,

Also,

The bill entitled,

An act to provide means for the draining of meadows and low-lands, on Salem Creek, in the county of Salem,

The bill entitled,

The bill entitled,

An act to confirm the title of the Masonic Lodge, No. 14, of Mount Holly, to certain real estate,

Also,

The bill entitled,

A supplement to the act entitled 'an act for the limitation of actions,' approved April the sixteenth, eighteen hundred and forty-six;

Also,

The bill entitled,

An act to divide the township of Mansfield, in the county of Warren, and to set off a new township in said county, to be called the township of Beattystown,

Also,

The bill entitled,

An act relative to the laying out of roads and streets in that part of the county of Hudson lying eastwardly of the Hackensack river,

And find the same to be severally correctly engrossed.

Mr. Smith offered the following preamble and resolution:

Whereas, It is asserted in a public paper published at Newark, under date of February 28, that offers have been made to a member of this body derogatory to the character of the person making such offers, and for the purpose of corrupting the legitimate sources of legislation, and which action if true is calculated to bring discredit upon the character of the Senate unless the same be investigated, therefore

Resolved, That a special committee be appointed to investigate the truth of the charges made in the paper known as the 'Newark Mercury,' of the date referred to, and that said committee have full power to compel the attendance of witnesses, and to examine any person or persons whose evidence may be by them deemed essential to a complete investigation of the said charges.

Which was read and agreed to.

The President appointed Messrs. Smith, Chetwood and Hoxsey said committee.

The engrossed bill entitled,

An act to confirm the title of Masonic Lodge No. 14, of Mount Holly, to certain real estate,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Marin, Rea, Roberts, Robertson, Somers, Smith, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act relative to the laying out of roads and streets in that

part of the county of Hudson lying Eastwardly of the Hackensack River,

Was taken up, and read a third time.

On motion of Mr. Bramhall, said bill was amended by the unanimous consent of the Senate.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows?

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey, Laird. Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain —17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The Joint Resolution entitled,

Joint resolution relative to the purchase of Webster's Dictionary for the use of Common Schools,

Which was returned by the Governor with his objections to the same in writing,

Was taken up, and having been re-considered,

Upon the question,

Shall this joint resolution again pass?

It was decided in the negative, as follows:

AYES—Mr. Smith—1.

NAYS—Messrs. Alexander, (Pres) A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain —17.

Mr. A. V. Bonnell, from the Committee on Education, to which was referred so much of the Governor's Message as relates to the subject of Education, reported

A bill entitled

An act relative to the purchase of Webster's Dictionary for the use of Common Schools.

Which was read for the first time by its title, and ordered to have a second reading.

The same Senator moved a suspension of so much of the twenty-third rule as prescribes that all public bills after the first reading shall be printed for the use of the Senate, in order to dispense with the printing of said bill.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—Mr. Hoxsey—1.

So said motion was agreed to, and so much of said rule suspended accordingly.

On motion of the same Senator, the printing of said bill was dispensed with.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to encourage the emigration and settlement of the free people of color of New Jersey, in Liberia,

And find the same to be correctly engrossed.

Said bill was then taken up and read a third time.

Upon the question,

Shall this engrossed bill pass ?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—16.

NAYS—Mr. Depew—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence

Mr. Chetwood called up

The bill entitled,

A further supplement to an act entitled "an act to incorporate the New Jersey Railroad and Transportation Company," passed the seventh day of March, one thousand eight hundred and thirty-two,

Which was postponed yesterday pending the consideration of the first section.

The same Senator moved that said bill be re-committed to the Committee on Corporations.

Mr. Hoxsey moved to amend said motion by adding at the end thereof the following words: '*Provided*, that said committee shall not have power to alter the amendment made yesterday to the first section by the deliberate action of the Senate.'

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Depew, Hoxsey, Rea, Somers—4.

NAYS—Messrs. Alexander, (Pres.), A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Roberts, Smith, Stults, Swain—13.

So said motion

Was not agreed to.

Mr. Hoxsey moved to amend said motion by adding at the end thereof the following words: 'But the first section of said bill having received the approval of the majority of the Senate, after deliberate discussion, it would be inconsistent for said committee to alter or amend the same.'

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Depew, Hoxsey, Rea, Somers—4.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—14.

So said motion

Was not agreed to.

A communication was received from His Excellency the Governor, by the hands of Mr. Shreve, his Private Secretary, addressed to the President of the Senate.

The consideration of said bill was then resumed.

Mr. Hoxsey moved to amend said motion to re-commit, by striking out the words 'to the Committee on Corporations,' and inserting the words, 'to a special committee of the Senate.'

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Depew, Hoxsey, Laird, Rea, Somers—5.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—12.

So said amendment

Was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion to re-commit said bill, were as follows—

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. Depew, Hoxsey, Rea, Somers,—4.

So said motion was agreed to, and the bill re-committed to the Committee on Corporations.

The President laid before the Senate a communication from His Excellency the Governor, addressed to the President of the Senate, together with an accompanying letter, as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, February 28, 1855.

Hon. Wm. C. Alexander,
President of the Senate,

SIR—I herewith transmit a communication received from the Superintendent of the New York Asylum for the education of Idiots, expressing a wish to exhibit some of his pupils before the Legislature during the present session.

The matter is one of public interest, and I shall be pleased to have the Senate take such action in the case as shall seem to them proper.

Very respectfully,

RODMAN M. PRICE.

N. Y. ASYLUM FOR IDIOTS,
Albany, Feb. 25, 1855.

To His Excellency Gov. Price,

MY DEAR SIR:

The states of Massachusetts and New York have established asylums for the education of Idiots. Pennsylvania has made a conditional appropriation for the same purpose. I am anxious that New Jersey should recognize the claims of this unfortunate class to the benefit of an appropriate education.

If I could contribute to awaken a proper feeling upon the

subject by an exhibition of a few of my pupils before the Legislature at its present session, it would give me great pleasure to do so. The subject has enlisted the sympathies and co-operation of some of the most distinguished citizens of the state of New York.

I am, dear sir,
Very respectfully and truly,
Your ob't serv't,
H. B. WILBUR, Sup't.

Which communications were read and ordered to lie on the table.

The bill entitled,

A further supplement to an act entitled 'an act for the relief of persons imprisoned on civil process, approved April sixteenth, one thousand eight hundred and forty-six,

Was taken up and read a second time, and pending the consideration of the first and only section thereof,

Mr. Franklin moved that the further consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered uponthe question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Smith, Swain—11.

NAYS—Messrs. I. Bonnell, Depew, Rea, Roberts, Somers—5.

So said motion was agreed to, and the further consideration of said bill postponed for the present.

Mr. Hoxsey moved that the vote by which the preamble and resolution to appoint a special committee to investigate the truth of certain charges made in the 'Newark Daily Mercury' was agreed to,

Be re-considered.

Which motion was agreed to, and the vote re-considered.

The same Senator moved to amend said resolution by adding at the end thereof the following words: 'That the committee have similar power to examine into similar alleged malpractices in behalf of one or more of the Banks now asking for acts of incorporation or re-incorporation from the present Legislature.

Which was read and agreed to, and the resolution as amended agreed to.

On motion of Mr. Laird,

The Senate then adjourned.

At three o'clock the Senate met.

Mr. Franklin gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

A supplement to the act respecting Roads.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly entitled,

An act to incorporate the Hope Hose Company, of the city of Burlington,

Also,

The bill entitled,

An act relative to the Princeton Bank,

Reported the same, severally,
Without amendment.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 1, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

An act to incorporate the town of Bergen, in the county of Hudson.

Also,

The bill entitled,

An act to incorporate the Perth Amboy and Woodbridge Railroad Company.

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has concurred in the amendments made by the Senate to

The bills severally entitled,

An act to incorporate the Camden Market Company,

And,

An act to incorporate the Ocean Port Steamboat Company.

And has caused said bills to be re-engrossed, the amendments to be embodied therein, and has passed the same.

P. D. VROOM, Clerk.

The engrossed bill entitled,

An act relative to the manufacture and sale of intoxicating liquors as a beverage,

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows?

AYES—Messrs. Alexander, (Pres) Allen, I. Bonnell, Bramhall Chetwood, Depew, Laird, Martin, Rea, Roberts, Somers, Smith, Stults—13.

NAYS—Messrs. A. V. Bonnell, Cowperthwaite, Franklin, Howell, Hoxsey, Swain—6.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. Allen moved that said bill be re-printed under the direction of the minority of the committee which reported the same.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Laird, Martin, Rea, Roberts, Somers, Smith, Stults—14.

NAYS—Messrs. Franklin, Howell, Hoxsey, Swain—4.

So said motion was agreed to, and said bill ordered to be re-printed.

The bill from the House of Assembly entitled,

An act to incorporate the Burlington and Jacksonville Turnpike Company,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly, as amended, pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Roberts, Somers, Smith, Stults Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The engrossed bill entitled,

A supplement to the act entitled "an act for the limitation of actions," approved April the sixteenth, eighteen hundred and forty-six,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Roberts, Somers, Smith, Stults, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly entitled

An act to incorporate the Union Manufacturing Company of Gloucester City, Camden county,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Somers, Smith, Stults, Swain—14.

NAYS—Messrs. Alexander (Pres.) Hoxsey—2.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has paseed said bill from the House of Assembly with sundry amendments, in which amendments their concurrence is requested.

The bill from the House of Assembly entitled,

An act to vacate part of Fulton street, as laid out in the plan of Pavonia, in the county of Camden;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Roberts, Somers, Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled

An act to incorporate the town of Bergen, in the county of Hudson,

Was taken up, read for the first time by its title, and ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The bill from the House of Assembly, entitled,

An act to incorporate the Perth Amboy and Woodbridge Railroad Company,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A further supplement to an act entitled "An act for the better relief and employment of the Poor of the county of Salem,"

Also,

The bill entitled,

An act incorporating vessel building associations,

Also,

The bill entitled,

An act to incorporate the Somerset county agricultural society,

Also,

The re-engrossed bill entitled,

An act to incorporate the Lodi Manufacturing Company,

And find the same to be severally correctly engrossed.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows:

HOUSE OF ASSEMBLY, March 1, 1855.

Mr. President :—

I am directed by the House of Assembly to inform the Senate that the Governor having returned to the House of Assembly,

The bill entitled,

A supplement to an act entitled "An act to incorporate the Newark Plank Road and Ferry Company," approved February twenty-fourth, eighteen hundred and forty-nine,

With his objections;

The House of Assembly has re-considered the said bill and has passed the same, and sends the bill to the Senate with the objections of the Governor, and requests the Senate to concur in the action of the House of Assembly.

P. D. VROOM, Clerk.

MESSAGE.

STATE OF NEW-JERSEY,
Executive Department.

Hon. WM. PARRY, Speaker of the House of Assembly:

SIR :—I herewith return the act entitled "A supplement to an act entitled 'An act to incorporate the Newark Plank Road and Ferry Company,'" approved February twenty-fourth, eighteen hundred and forty-nine, which originated in the Assembly, for reconsideration, objecting to approve the same, believing that the bridge contemplated to be constructed by the act, would be a

serious obstruction to the navigation of the Passaic River, and tend to destroy the trade and commerce of the port of Newark.

Navigable rivers are common highways, free to be used and navigated by all. Trade, accommodation, and necessity must govern the action of every state, upon an application for bridging them, and must depend upon the peculiar circumstances of each case, as in the opinion of Mr. Justice Grier, delivered in the Circuit Court of the United States, in the case of Devoe and others *vs.* Penrose Ferry Bridge Company. "When the trade of the channel is of great amount and importance, and that across it is trifling, the same rule cannot apply as to a case when the conditions are contrary. If a steam ferry can accommodate those who cross a stream, and a bridge with a draw will inflict an injury on commerce, and tax the public by increased freight, there is no sufficient reason why a bridge should be erected because it would be more profitable stock than a steamboat or towboat, or better accommodate some small neighborhood or neck of land." The principle here laid down is, in my judgment, truly applicable to the facts and circumstances as existing upon and across the river Passaic, at the point contemplated by this act to build the bridge, and that no public necessity for a bridge at that place exists, which can justify a sacrifice of greater and superior interests to so great an extent as shown by the remonstrants The proposed bridge to be erected will greatly injure the commerce passing on the river Passaic, from and to the port of Newark, and seriously interfere with the growth and trade of that place, and tend to sacrifice great public interests for partial and individual benefit. The crossing is now done on the line of the Plank Road, with much safety and little delay, by a steamboat ferry.

The evidence is abundant, that the proposed bridge to be erected, will increase the tax on commerce, and increase the freight on all articles manufactured or consumed at Newark and the adjacent country, transported by the river, and depreciate the value of all property along the river above the bridge, which is three miles below the city; and, possibly, so disturb the ebb and flow of the tide as to create shoals and bars in the river above the bridge, so as to injure the navigation up to the port of Newark, as apprehended by United States engineers and officers, who have been employed in surveying and improving the navigation of the river. [See Lieutenant Harrison's report, accompanying the President's Message of eighteen hundred and fifty-three, and Lieutenant Hunt's report to United States Coast Survey, for eighteen hundred and forty-two.]

I should be glad if I had more distinct data to form my judgement upon this point. such as a survey, and examination and report made by competent engineers, as to the effect and influence the contemplated erection of this particular bridge would have upon the future navigation of the river. Reliable information ought to be furnished the Legislature, before authorizing the erection of a bridge, and in a case involving so much interest, the particular plan of the bridge authorized to be built, ought to be set forth in the act itself, and designated by a competent engineer.

The interests involved in this bill are very large and conflicting. I do not doubt the right of the state to erect bridges over navigable waters, which are wholly within the limits of the state; but such erection will only be authorized upon the principle that a bridge for a turnpike, plank road, railroad, or any other purpose, will benefit the public in a greater degree than said erection will be an obstruction to commerce, free navigation, and an injury to private and public rights; although in this case it is a very grave question whether the general government, by the constitution of the United States, has not the power, (Newark being a port of entry by virtue of an act of Congress), and whether the federal courts would not be compelled to restrain any work calculated to interrupt the free navigation from the ocean to ports of delivery and entry. "When the exercise of their several powers come into conflict, those of the state necessarily yield to the superior." The Attorney General of this state, in his late opinion asked for by and given to the Senate Committee on Corporations, upon the legal questions involved in this act, without expressing a decided assent, to the whole doctrine as laid down by Justice Grier, that "If the quantity of travel is not sufficient to support a steam-ferry, it is conclusive evidence that there is no public necessity for the erection of a bridge which will tax commerce to such an extent, the benefits will not counterbalance the evils which will be caused by it." The Attorney General says: "I think there is enough in it to raise a serious doubt of the right of the Legislature to grant the present application." It should also be borne in mind that the general government have appropriated large sums of money for the building of a custom-house in the city of Newark, and for improving the navigation of the Passaic River. It would seem strange, indeed, that whilst the general government is trying to improve and increase the trade and commerce of our largest port, that our state government should do an act to impair and diminish the natural advantages of said port.

The act itself provides by the third section, "That nothing contained in this supplement, shall be so construed as to impair in any manner, any reversionary interest or vested right which the state, or any incorporated company or companies, or any individual, may possess, in virtue of an act entitled, an act for building bridges over the rivers Passaic and Hackensack, and for other purposes therein mentioned, passed November twenty-fourth, seventeen hundred and ninety, and a contract and agreement for building said bridges, entered into in pursuance of said act, bearing date the seventeenth day of February, seventeen hundred and ninety-three." This vested right is conceded to exist under the act, and has been scrupulously observed by all Legislatures since its enactment, and the agreement entered into under it. And it seems by this act, that it is intended to regard all the rights and interests obtained under it by the third section; but the fifth section provides, that it shall not be lawful to erect the bridge mentioned in the first section of this supplement, until the consent thereto, in writing, of the proprietors of the bridges over the rivers Passaic and Hackensack, under their common seal, shall be filed in the office of the secretary of state. Now it will be observed that by the language of the third section, as above quoted, no reversionary interest or invested right is to be impaired in any manner, which the state or any incorporated company, or any individual may possess, in virtue of said act and by the fifth section, the consent in writing of the proprietors of the bridges over the rivers Passaic and Hackensack, under their common seal, shall be filed in the office of the secretary of state.

The individual right mentioned in the third is not recognized in the latter section, which is controlling in its terms. Therefore, I deem there are existing vested rights of individuals under said grant not protected by this act, which is another objection to the bill which is here returned for re-consideration.

I herewith transmit the remonstrance of several individuals interested, and stockholders in the company created by the afore said act, passed November twenty-fourth, one thousand seven hundred and ninety.

The original charter for the plank road was asked and granted, with the privilege of a ferry across the Passaic. The road is built, and the ferry successfully established, and from evidence in this case, is giving a transit across the river, little if any less in detention and accommodation than a bridge could do. It is more expensive to sustain, but it does seem to me that the rights of the river, and the large amount of trade and

commerce, as shown by the official returns of the collector of Newark, done at that port, ought not to be sacrificed for the pecuniary difference between keeping up a bridge or sustaining a ferry, which is the real question involved, and the only cause for this act.

RODMAN M. PRICE.

We the undersigned, for many years stockholders in our own individual right, in the 'Passaic and Hackensack Bridge Company,' beg leave to address your Excellency on a subject of great importance to us, and as involving our vested rights, as granted by the state of New Jersey, by act of twenty-fourth November, seventeen hundred and ninety. In a distinct section of said act, the fifteenth, it provides: 'That it shall not be lawful for *any* person or persons whatsoever, to erect or cause to be erected any other bridge or bridges over and across the said river Passaic at any place or places between the mouth of said Passaic river and the place where the brook commonly called Second river empties into the Passaic river.'

The 'Newark Plank Road and Ferry Company' was chartered on the twenty-fourth February, eighteen hundred and forty-eight, the applicants consenting, as evidence of their sincerity and fair intentions, that their charter should be restricted by adding to the eighth section the proviso 'That the free and uninterrupted navigation of vessels in said rivers, or either of them, is not thereby prevented by *any bridge or other obstruction* in said rivers, in any manner whatever.' And in the tenth section: "Provided, that nothing herein contained shall be so construed as to impair any reversionary interest or vested right which the state or any incorporated company or *any individual* may possess by virtue of 'an act for building bridges over the Passaic and Hackensack rivers, and for other purposes therein mentioned.'"

The undersigned beg leave further to state, that they have never changed the ownership of their stock, which they have held partly as a means of *free navigation protection* on the Passaic river, and believing as they do that they should be

fully protected by the Executive in their vested rights *individually*, we do therefore pray your Excellency to interpose the power that is in you vested, as Governor of the state of New Jersey, in the protection of, and sustaining the just and vested rights of us as individual stockholders, and likewise the reversionary rights of the state in the said Bridge Company, which rights would be seriously injured, when the bridges and turnpike revert to the state, by any erection of additional bridges.

Newark, February 24th, 1855.

JOHN H. STEPHENS,
WM. WRIGHT,
JOEL W. CONDIT,
S. BALDWIN, JR.,
JOHN VAN RENSSELAER.

The re-engrossed bill entitled,

An act to incorporate the Lodi Manufacturing Company,

Was taken up and having been read a third time,

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Somers, Smith, Stults,—14.

NAYS—Messrs. Alexander (Pres.) A. V. Bonnell, Roberts, Swain—4.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill,

and has ordered said bill to be re-engrossed, and has passed the same.

The engrossed bill entitled,

An act to incorporate the Somerset county agricultural society,

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows?

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Roberts, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act incorporating vessel building associations,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird. Martin, Roberts, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary car-

ry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A further supplement to an act entitled "An act for the better relief and employment of the Poor of the county of Salem,"

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—19.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. Bramhall moved that the vote by which

The bill entitled,

A further supplement to the act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, approved the twenty-fifth day of March, eighteen hundred and fifty-two;

Was ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered.

Said bill was then taken up upon its second reading.

Mr. Bramhall moved that the vote by which the seventh section was agreed to

Be re-considered for the purpose of amending the same.

Which motion was agreed to, and the vote re-considered.

Said section was then considered, amended and agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. Rea moved that the Senate go into Executive session.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.)I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Somers—8.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain —11.

So said motion

Was not agreed to.

The bill from the House of Assembly entitled,

An act to authorize the erection of a draw or swing bridge over Mullicas river,

Which was postponed yesterday whilst under consideration, until this afternoon,

Was taken up, and having been previously read a second time, considered by sections and agreed to, and the amendments reported by the Committee on the Judiciary, to which said bill was re-committed, having been considered and agreed to, the amendments were ordered to be engrossed, and the bill to have a third reading.

The bill entitled,

An act to incorporate the Bay City Company,

Was taken up and read a second time.

The first section of said bill as follows—

1. *Be it enacted by the Senate and General Assembly of the state of New Jersey*, That John S. Gilbert, Samuel Smith and John Boardman, and such other persons as they may associate with them, and their successors, shall be and they are hereby incorporated and made a body politie and corporate, in fact and in law, by the name of the 'Bay City Company,' and that the capital stock of the said company shall be six hundred thousand dollars, divided into shares of twenty-five dollars each, which shall be subscribed and paid in at such times, upon such notice and in such manner and instalments as the directors of the said company by their by-laws or otherwise may direct; that such payment shall be made either in money or in land situate in said county of Hudson; and in case of payment in land, the directors may issue in payment therefor the stock of the said company upon such terms as may be deemed best for its interests; and that in case of the failure of any stockholder to pay the instalments on his or her stock at the place and within thirty days of the time appointed for the payment thereof, such stockholder shall incur a forfeiture of his or her share or shares, and of all previous payments thereon, for the use of the company,

Being under consideration,

Mr. A. V. Bonnell moved to amend the same by striking out, in the seventh line, the words *'twenty-five,'* and inserting the words *'one hundred'* in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows :

AYES—Messrs. Allen, A. V. Bonnell, Cowperthwaite, Depew, Howell, Hoxsey, Stults, Swain—8.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Franklin, Laird, Martin, Rea, Roberts, Somers, Smith —11.

So said motion

Was not agreed to.

Said section was then agreed to.

The second, third, fourth and fifth sections were then considered and agreed to.

Pending the consideration of the sixth section,

Mr. Hoxsey moved that the further consideration of said bill be postponed until the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. A. V. Bonnell, Depew, Howell, Hoxsey, Rea, —5.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Laird, Martin, Roberts, Smith, Swain—11.

So said motion

Was not agreed to.

The remaining sections of said bill were then considered and agreed to.

Pending the consideration of the title of said bill,

On motion of Mr. Allen,

The further consideration of the bill was postponed for the present.

On motion of Mr. Smith,

The Senate then adjourned.

FRIDAY, March 2, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Dr. Hall.

The journal of the previous day was read and approved.

Mr. Bramhall presented a remonstrance from John H. Meeker and others, citizens of Newark, against the passage of the law requiring Justices of the Peace of said city to hold their courts in the wards in which they are elected.

Which was ordered to lay on the table, without reading.

The same Senator presented a petition from the Mayor and Aldermen of Jersey City in favor of the passage of the law to authorize the New Jersey Railroad and Transportation Company to straighten the line of their road at Newark, and to build a bridge across the Passaic river at Market street.

Which was ordered to lie on the table without reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly entitled

An act to incorporate the Perth Amboy and Woodbridge Railroad Company,

Reported the same,
Without amendment.

Mr. Rea, from the Committee on Municipal Corporations, to which was referred

The bill from the House of Assembly, entitled

An act to establish a new township in the county of Camden, to be called the township of Centre;

Also,

The bill from the House of Assembly entitled,

An act to incorporate the town of Bergen, in the county of Hudson,

Reported the same, severally
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A further supplement to an 'act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water,' approved twenty-fifth of March, eighteen hundred and fifty-two;

Also,

The bill entitled,

An act for the relief of Tabitha Martin, widow of Merrick Martin, deceased, of the county of Middlesex,

Also,

The bill entitled,

A further supplement to the act entitled 'an act to incorporate the Beverly steam power company,' approved March eighteen, eighteen hundred and fifty one;

Also,

The Joint Resolution entitled

Joint Resolution authorizing an appropriation in aid of a Church for deaf mutes;

Also,

The amendments made by the Senate to

The bill from the House of Assembly, entitled,

An act to authorize the erection of a draw or swing bridge over Mullicas river,

And find the same to be severally correctly engrossed.

Mr. Hoxsey, from the committee on the Judiciary, to which was referred

The bill entitled,

A supplement to the act entitled "An act to enable the owners of the tide-swamp and marshes to improve the same, and the owners of meadow already banked in and held by different persons, to keep the same in good repair," passed the twenty-ninth of November, seventeen hundred and eighty-eight.

Also,

The bill entitled,

An act to repeal a part of an act concerning inns and taverns,

Also,

The bill from the House of Assembly, entitled

A further supplement to an act entitled 'an act for the preservation of Clams and Oysters,' passed the fourteenth day of April, eighteen hundred and forty-six,

Reported the same, severally,
Without amendment.

The same Senator, from the same Committee, to which was referred the bill from the law commissioners entitled

An act concerning Evidence,

Reported the same
Without amendment.

Said bill was then taken up, read for the first time by its title, and ordered to have a second reading.

The same Senator, from the same Committee, also reported from the Commissioners to revise the system of jurisprudence

The bill entitled,

A supplement to the act entitled 'an act for the punishment of crimes;

Also,

The bill entitled,

A supplement to the act approved April the sixteenth, eighteen hundred and forty-six, entitled 'an act constituting the court of oyer and terminer and general jail delivery;

Also,

The bill entitled,

A further supplement to the act entitled 'an act respecting the court of chancery,' approved April the sixteenth, eighteen hundred and forty-six.

Which bills were taken up and severally read for the first time by their titles, and ordered to have a second reading.

The engrossed bill entitled,

A further supplement to an 'act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water,' approved twenty-fifth of March, eighteen hundred and fifty-two;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres), Allen, I. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Somers, Smith, Stults, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A further supplement to the act entitled 'an act to incorporate the Beverly steam power company,' approved March eighteen, eighteen hundred and fifty one;

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows?

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Martin, Rea, Somers, Smith, Stults, Swain—16.

NAYS—Mr. Hoxsey—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act relative to the Lunatic Asylum,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Hoxsey, Laird. Martin, Somers, Smith, Stults, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary car-

ry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act for the relief of Tabitha Martin, widow of Merrick Martin, deceased, of the county of Middlesex,

Was taken up and having been read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Somers, Smith, Stults, Swain —17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act for the relief of Mary Carter, widow of John Carter, deceased, of the county of Burlington,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Hoxsey, Laird, Martin, Rea, Smith, Stults, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary car-

ry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. Hoxsey moved that the vote by which

The Joint Resolution entitled

Joint Resolution authorizing an appropriation in aid of a Church for deaf mutes;

Was ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered.

On motion of the same Senator, said joint resolution was re-committed to the Committee on Education.

Mr. Allen moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

Supplement to the act entitled 'an act to regulate Elections,' approved April sixteenth, eighteen hundred and forty-six.

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Franklin, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

A supplement to the act respecting Roads.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill entitled,

An act relative to the purchase of Webster's Dictionary for the use of Common Schools,

Was taken up, read a second time, the first and only section considered, amended and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

A supplement to an act entitled "An act concerning Roads," approved April sixteenth, eighteen hundred and forty-six,

Was taken up, read a second time, considered by sections and agreed to, and,

On motion of Mr. Allen, the further consideration thereof postponed for the present.

The bill entitled,

An act to incorporate the Peapack and Plainfield Railroad Company,

Was taken up, read a second time, and pending the consideration of the fourth section,

On motion of Mr. Martin, the further consideration thereof was postponed for the present.

The bill from the House of Assembly entitled,

An act to establish a new township in the county of Camden, to be called the township of Centre,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

A supplement to an act entitled "An act to secure to mechanics and others payment for their labor and materials, in erecting any building." approved March eleven, eighteen hundred and fifty-three;

Was taken up and read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to authorize the Rector, Wardens and Vestrymen of Christ Church, at Newton, Sussex County, to sell a certain lot of land, held in trust by them:

Was taken up, read a second time, considered and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled

An act to authorize the inhabitants of the several townships in the state to vote by ballot at their town meetings,

Was taken up, read a second time, considered and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

An act relative to the public printing,

Was taken up upon its second reading.

Mr. Hoxsey moved that the consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Somers—7.

NAYS—Messrs. Allen, A. V. Bonnell, Cowperthwaite, Franklin, Martin, Roberts, Smith, Stults, Swain—9.

So said motion

Was not agreed to.

Said bill was then read a second time.

The first section thereof as follows:

1. *Be it enacted by the Senate and General Assembly of the state of New Jersey*, That Edmund Morris, of Trenton, be employed to execute the printing of the bills of both Houses of the present Legislature during the sitting thereof; and that the price paid for the said printing be as follows, viz.: for said bills three dollars and fifty cents per sheet, on pica type, of thirty-one lines per page, on the best foolscap paper that can be procured at three dollars per ream; one hundred copies of each bill for the use of the legislature.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out, in the third line the words, 'both Houses of the present Legislature, and inserting the words, 'of the House of Assembly, and that David Naar of Trenton be employed to execute the printing of the bills of the Senate,' in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Somers—8.

Nays—Messrs. Allen, A. V. Bonnell, Cowperthwaite, Franklin, Martin, Smith, Stults, Swain—8.

So said motion

Was not agreed to.

The same Senator moved to amend said section by adding at the end of the same the following words: '*Provided*, That the bills heretofore printed by David Naar shall be paid for upon the same terms above mentioned.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Depew, Hoxsey, Laird, Rea, Somers, Swain—10.

NAYS—Messrs. Allen, A. V. Bonnell, Franklin, Martin, Roberts, Smith, Stults—7.

So said amendment

Was agreed to.

The section as amended was then agreed to.

The second section of said bill as follows—

2. *And be it enacted*, That John F. Babcock, of Middlesex county, be employed to execute the pamphlet printing of the present legislature, at the rate of fifty-five cents per thousand ems for composition, and fifty cents per token (two hundred and fifty copies,) for press work, on as good medium paper as can be procured for three dollars per ream, the work to be done in a neat and expeditious manner.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out, in the first line the words 'John F. Babcock, of Middlesex county,' and inserting in the place thereof the words 'Orson Vanderhoven, of the county of Passaic.'

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Somers—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Roberts, Smith, Stults, Swain —11.

So said motion

Was not agreed to.

The same Senator then moved to amend said section by striking out in the first line the words 'John F. Babcock, of Middlesex county,' and inserting in the place thereof the words, 'Thomas Anderson, of Sussex county.'

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Somers—8.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Roberts, Smith, Stults, Swain—10.

So said motion

Was not agreed to.

Said section was then agreed to.

The third section thereof as follows—

3. *And be it enacted*, That Sharp and Chew, of Salem county, be employed to print the Journal of the House, and an Index thereto, for the current year, and that they print one thousand copies thereof, at sixteen dollars and thirty-five cents per sheet; the size of the sheet and type to correspond with the Journals of the Assembly for the year eighteen hundred and fifty-four; and that the Secretary of State inspect the work and audit the accounts before payment be made.

Being under consideration,

Mr. Hoxsey moved that said bill be re-committed to the Senate members of the joint committee on public printing.

Which motion was not agreed to.

The same Senator moved to strike out said section, and to substitute a new section in the place thereof, to be called section three, as follows—

3. *And be it enacted*, That it shall be the duty of the president of the Senate and the Speaker of the House aforesaid, to advertise in the State Gazette and the True American for sealed proposals for the public printing, to be handed in to them until the day of and that upon that day the said proposals shall be opened in the Senate Chamber, at two o'clock, P. M., and the printing be given to the person or persons who may be the lowest bidders; *provided*, that the said person or persons shall comply in other respects with the conditions of this act.

The ayes and nays being demanded and ordered upon the question of agreeing to said substitute, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Somers—8.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Roberts, Smith, Stults, Swain—10.

So said substitute

Was not agreed to.

The same Senator then moved to strike out the words 'Sharp & Chew, of Salem county,' in the first line of the third section, and insert in the place thereof the words, 'James S. Yard, of Monmouth county.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Somers—8.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood Cowperthwaite, Franklin, Martin, Roberts, Smith, Stults, Swain—10.

So said motion

Was not agreed to.

Said section was then agreed to.

The fourth section thereof as follows—

4. *And be it enacted*, That Orrin Pharo, of Monmouth county, be employed to print the Journal of the Senate and proceedings of joint meeting, and an Index thereto, for the current year; and that he print one thousand copies thereof, at sixteen dollars and thirty-five cents per sheet, the size of the sheet and type to correspond with the Journal of the Senate for eighteen hundred and fifty-four; and that the Secretary of State inspect the work and audit the accounts before payment be made.

Being under consideration,

Mr. A. V. Bonnell moved to amend the same by striking out in the first line the words 'Orrin Pharo, of Monmouth county,'

and inserting in the place thereof the words 'Josephus Shann, of Middlesex county.'

Which motion

Was agreed to.

The section as amended was then agreed to.

The fifth section was considered and agreed to.

The sixth section thereof as follows—

6. *And be it enacted*, That Mrs. Elizabeth Pratt, of Jersey City, be employed to print the Law and Chancery Reports for one year, or until otherwise ordered; that sixteen hundred copies of each book be printed, on large octavo pages, trimmed and bound in workmanlike manner, and similar to those heretofore printed, and that she be paid therefor twenty-seven dollars per sheet.

Being under consideration,

Mr. Allen moved to amend the same by striking out in the first line the words 'Mrs. Elizabeth Pratt, of Jersey City,' and inserting the words 'John H. Jones, of Camden county,' also by striking out the letter *s*, before the word *she* in the last line, so as to read *he*.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Roberts, Smith, Stults, Swain—10.

NAYS—Messrs. Alexander,(Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Somers—8.

So said amendment

Was agreed to, and

The section as amended was then ageed to.

The seventh and only remaining section was then considered and agreed to, and the amendments made to said bill ordered to be engrossed, and the bill to have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 2, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

A further supplement to the act entitled 'an act to encourage the establishment of Mutual Loan and Building Associations,' approved the twenty-eighth day of February, eighteen hundred and forty-nine;

Also,

The bill entitled,

A supplement to the act entitled 'an act to incorporate the New Brunswick Insurance Company, in the counties of Middlesex and Somerset;

Also,

The bill entitled,

A supplement to an act entitled 'an act to incorporate the Almonesson and Westville Turnpike Company,' passed the eleventh day of March, eighteen hundred and fifty-three;

Also,

The bill entitled,

A supplement to an act entitled 'an act incorporating Homestead and Building Companies,' approved February twenty-fifth, one thousand eight hundred and fifty-two.

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has concurred in the amendments made in the Senate to the bills severally entitled

An act to incorporate the West Newark Cemetery Company,

An act to authorize the inhabitants of Millville, Maurice River and Deerfield, in the county of Cumberland, to vote by ballot at their town-meetings,

A supplement to an act entitled 'an act to incorporate the Trenton Saving Fund Society,' passed the seventh day of March, eighteen hundred and forty-four;

An act to incorporate the Farmers' and Oystermen's Independent Steamboat Association;

An act to incorporate the Jefferson Quarry Company;

Also,

The Joint Resolution entitled,

Joint resolution relating to the appointment of Commissioners to represent the State at the French National Exhibition.

And has caused the same to be engrossed and the amendments to be embodied therein, and has passed the same.

Also,

That the House of Assembly has disagreed to

The bill from the Senate entitled,

An act relative to the office of Bank Superintendent.

P. D. VROOM, Clerk.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act relative to the purchase of Webster's Dictionary for the use of Common Schools,

And find the same to be correctly engrossed.

Mr. A. V. Bonnell moved a suspension of so much of the

twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Martin, Rea, Roberts, Somers, Smith, Swain—15.

NAYS—Messrs. Hoxsey, Stults—2.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill entitled,

An act to incorporate the Lodi Manufacturing Company,

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

Mr. Smith, from the majority of the special committee appointed to investigate certain charges of an attempt to bribe a Senator, &c., reported as follows:

The Special Committee appointed under a preamble and resolution to investigate certain charges of attempted bribery and corruption, beg leave to report that they met in the evening of the 1st instant, and entered upon the discharge of their duties.

The Committee having organized, adopted a form of oath to be administered, and invited the Hon. Ralph C. Stults to testify in reference to the subject contemplated in the resolution. Mr. Stults declined taking said oath, on the ground that he was unwilling to disclose the names of persons implicated, but professed his readiness to hand the committee a statement of all the facts in his possession.

The committee then proceeded voluntarily, on their own suggestion, to administer the oath to two of their number. The third member, Mr. Smith, expressed his entire readiness to answer any questions under oath, but his examination was deemed unnecessary. The following evidence was adduced.

Examination of persons before a Special Committee of the New Jersey Senate, appointed the first day of March, A. D. 1855, to examine into and investigate the truth of the following paragraph, which appeared in the Newark Mercury the 28th day of February, A. D, 1855, and for other purposes:

NEWARK DAILY MERCURY.

WEDNESDAY MORNING, FEBRUAYY 28, 1855.

Unparalelled Corruption.

During yesterday the most astounding rumors were in circulation respecting the means which have been and still are being used to defeat the wishes of the people of Newark in regard to the Plank Road Bridge. It is currently reported that the bill will be vetoed, and defeated in the Senate by the unscrupulous efforts of its opponents.

It is charged that the grossest corruption has marked the entire course of the opposition to this bill—money has been liberally scattered to corrupt the sources of legislation, and thus to defeat the measure. It is openly stated that *an offer of Seven Hundred Dollars*

was made to a member of the Senate for the purpose of securing his vote against the bill—but the offer was spurned. The Senator stated to the individual who offered the bribe, that there might be some who could be purchased, but that *he* could not be. The same person who made himself so infamous in this way, also stated to a member that *he would give that amount of money to any one to defeat the bill.*

Other rumors are afloat in reference to this subject which demand an immediate investigation, as bearing upon the character and integrity of the Senate. We are led to believe that the entire opposition to this measure has been carried on mainly by a lavish disbursment of means, and by misrepresentations of the most dishonorable character, and assurances of patronage. Suspicion attaches to every transaction connected with the policy of its principal opponents, and must of course rest upon every adverse act given under such circumstances. We state what we know to be the general impression of those in Trenton who are cognizant of the proceedings in relation to this measure, and we trust that the whole subject may be investigated, as a check to the corruptive influences which notoriously surround our Legislature.

The Committee was organized by the appointment of Thos. D. Hoxsey Secretary.

On the evening of March 1st personally appeared before the Committee the Hon. Ralph C. Stults, to whom was proposed to be administered the following oath:

You do solemnly swear that you will true answers make to such questions as may be asked you concerning and touching certain alleged attempts to corrupt and bias your decision and vote upon the question pending in the Senate of New Jersey, upon a certain Bill entitled an act to incorporate the Newark Plank Road and Ferry Company, and also if any attempts have been made to corruptly bias your decision and vote in favor of any Bank application, before the legislature—and also if any attempts have been made by or on behalf of the New Jersey Rail Road Company or any one for them to bias and control your vote, upon any question now before the Legislature.

On motion of Mr. Hoxsey, it was

Resolved, That the Committee will not take the examination of any person or persons under the resolution appointing them, except such examination be under oath, and made in the presence of the Committee.

Question taken by yeas and nays—

YEAS—Messrs. Smith, Chetwood and Hoxsey.

Resolution adopted.

Question by Mr. Smith. Mr. Stults, do you refuse to be examined under oath ?

Answer. I have made up my mind to that.

Senator Chetwood having taken the foregoing oath, was examined.

Q. Mr. Chetwood, have you any information in regard to this charge of bribery ?

A. No other information than rumor and the charge in the papers.

Q. Have any of the agents or persons interested in procuring Bank charters used improper influences, or proposed to use them, with others, in your presence, to procure the passage of any of the Bank bills—and do you know whether any of the Banks have contributed to a fund for the purpose of procuring Bank incorporations or re-incorporations ?

A. I answer No, to all these question.

Q. Have you been approached by any persons interested in procuring Banks, improperly, by promise of remuneration, either expressed or implied ?

A. I have not.

Q. Do you know of the New Jersey Railroad interesting themselves in procuring the passage of the Plank Road Bridge, and whether they have or have not used money for that purpose ?

A. I do not.

Q. Are you a stockholder in the New Jersey Railroad Company ?

A. I am.

Examination of Mr. Hoxsey.

Q. Have you been applied to, either by promise express or implied, to receive money or other compensation for defeating the Bank applications before the Legislature ?

A. I answer, *I have not.*

Q. Do you know or do you believe that there has been any project, either in this state or out of it, the object of which is to make a run upon or to bring any Banks into diceredit ?

A. I answer that believing some of the Banks now before the Legislature were rotten and bankrupt, as was the Princeton Bank last winter, I did advise, as I thought for the public good, that a run should be made upon one or more of the Banks, to test whether they were solvent or not.

Q. When did you give this advice ?

A. Since the commencement of the session of the Legislature.

Q. Where did you give the advice ?

A. I asked several persons in New York if the bills of one or more of these Banks could not be procured in sufficient quantities to test the solvency of said Banks.

Q. Did you ask the advice of one or more brokers ?

A. I did ask that question as to the procuring of such notes of those Banks of one or more brokers in New York, that being the most proper place to look for the notes of Banks, who frequently sell their notes in New York. This inquiry and conversation occurred in Wall street, in New York.

Q. The name of the person you had the conversation with ?

A. I decline to give the name.

Q. I ask you the purport of that conversation ?

A. The same as I have before mentioned, I do not recollect any thing more.

Q. Were you to receive any fee, compensation or reward, in any shape, provided the Special Banking system was broken down in New Jersey through your efforts or the efforts of any other person ?

A. I never was to receive any fee or reward, none has ever been proposed to me, either directly or indirectly, by any person or persons, whether within or without the state of New Jersey, for the purpose of breaking down the Special Banking system of New Jersey. The only reward I ever expected to receive was the approbation of the people for breaking down a system of banking that has heretofore swindled and robbed the people of New Jersey out of some millions of dollars.

Q. Did you propose to make a run upon any other Bank or Banks than the Princeton Bank ?

A. I did not propose to make a run on the Princeton Bank. It is now a security bank ; and as for a run upon any other Bank, I decline to answer upon what Bank the run should be made.

Q. In your consultation with Brokers or other persons elsewhere, was it proposed to buy up the Bills of the Morris County Bank for the purpose of making a run upon that Bank in order to test its solidity ?

A. I answer that I never had but one conversation upon that subject with any one in New-York, that conversation was by accident and without previous premeditation, but thinking that certain Banks in the state which I refuse to name, were insolvent, which I still think, I was anxious that a run should be made upon *such Bank* to test its solvency, but I decline to mention the name of the Bank.

Q. Have you received any fee or reward for any Legislative actions in any manner, shape or way, either by promise expressed or implied ?

A. I have not !

Your Committee further report that Mr. Stults subsequently furnished the Chairman of the Committee with the following communication, which being declared to be given under the sanction of his official oath as Senator, a majority of the

Committee rescinded the rule requiring the oath, and adopt the same as part of their Report

Communication.

To the Honorable Messrs. Smith, Chetwood, and Hoxsey, Committee, &c.

Gentlemen:

The following statement of facts is presented under the sanction of my official vote as Senator, which I respectfu.ly request you to receive and present to the Senate in vindication of myself and that Honorable Body:

I, the undersigned member of the Senate of the State of New Jersey, representing the County of Middlesex, in the session of the Legislature of the year 1855, had brought to my attention as a member the bill introduced in the Assembly for a bridge for the Newark Plank Road Company over the Passaic River, which bill having passed the Assembly was sent to the Senate for the action of that Body.

During the time the above bill was in the House of Assembly, I was called on by two of the opponents of the bill from Newark frequently at my lodgings, who urged me to vote against the bill.

After much explanation and urgent solicitation, I told them I thought I should go for them unless upon hearing the views of the other side, I should change my mind.

When the bill passed the House and came in the Senate the views of those in favor of the bill were presented to me, and my mind began to change in favor of the Bridge, and as the two opponents of the bill came to me often, at different times, I told them frankly that I thought when the final vote should be taken in the Senate I would go for the bill. They appeared disappointed, and urged me strongly not to vote for the bill, and they said they had depended on me to defeat it, and that my vote would do it. This was said by them to me separately.

As the time for the final vote drew near, one of the gentlemen, as I thought jokingly, said if I would vote against the bill, he would take all my wood, "which was about three hundred cords," at five dollars a cord," and "all the corn I had on hand," which was about seven hundred bushels, "at one dollar a bushel," which quantity of wood and corn, I had casually mentioned, as having for sale. This was talked about openly in the presence of my room-mate and colleague in the Assembly, William Hutchinson, Esq., and was treated as a joke, and laughed about from time to time, as such jokes are about presents of barrels of shad, &c., &c., promised to be made to members, but known by them never intended to be made.

But this gentleman afterward came to me when I was alone, and apparently in earnest said to me urgingly, that "he would stand by

the above offer for my vote," when I at once told him "I would do nothing of the kind."

On the morning of the final vote in the Senate this same gentleman was near me in my seat, in the Senate Chamber, and urged me for my vote; he said again, "he would do what he offered and better if I would vote against the bill, as my vote was necessary to defeat the bill." I told him "to let me alone, as I should vote for the bill."

On the same morning before I took my seat in the Senate, the other gentleman met me in the Hall leading to the Senate Chamber, and said "he wished to talk with me for a few minutes." The gentleman took me in the Committee Room and locked the door, and said to me that "this was his bread and butter or life and death to him," using both expressions, and said, "for God's sake if anything can be done for you, let us know what it is." My reply was, "what do you mean?" He said, "if any one could underwrite a check for five hundred dollars, would that do?" I promptly replied "*No*," when he said, "or more?" when I at once and decidedly said "*No*,—I mean nothing of the kind will do,"—"I can't be bought. I will vote for the bill, and you will be defeated, and I want you to know exactly how I mean to vote." He then said the other gentleman "would make up with what he had offered about seven hundred dollars, and I would do better to take that, than vote for the Bridge." I told him, "I can't be bought, money can't buy my vote in any way, I must vote as I think right," and immediately I unlocked the door and abruptly left the room. The gentleman earnestly urged me as I went out, saying, "now for God's sake let this matter remain between us." I told him "I hoped he would learn to act better—that I would listen to no bribe." He then remarked he supposed "it was all day with him." I said "yes as far as my vote was concerned," and I directly went to my seat, and when the bill was put on its final passage that morning I voted for the bill.

Being so strongly urged by the last gentleman not to make any disclosure, and being sorry on account of their great disappointment, and having perhaps caused it by the early encouragement I gave them, as already mentioned, I made no statement to the Senate or the Public, but on the same day told a friend from Middlesex County of the offer of the five hundred and seven hundred dollars for my vote, without mentioning any names, and the next day and since have told the same to other friends freely in conversation.

RALPH C. STULTS.

TRENTON, March 1st, 1855.

Your Committee find a strong disposition on the part of the Senate from Middlesex, to withhold the names of persons re-

ferred to in his statement, in consequence of the injunction so to do, and from the impression, that his first inclination was to favor their wishes in opposing the Bridge.

And also because he believes that their inordinate ardor and zeal betrayed them into improper conduct towards him, which they now doubtless deeply regret.

The Committee deem it a duty to express their unqualified disapprobation of all attempts to tamper with the purity of Legislation, and trust that the condemnation and disgrace which will befal parties implicated in bribery and corruption, as well by the action of the Legislature as by the Criminal Courts will operate as an effectual check against any repetition of corrupt overtures.

As the honor of the Senator from Middlesex and of this Senate, has by his firmness and integrity not been tarnished, and as the publication of the foregoing statement, will perhaps be an admonition to the parties implicated as well as as others in attendance upon the Legislature to beware of like gross improprieties, your Committee beg leave to introduce the following resolution:

Resolved, That this Committee be continued with authority to make further investigation and report.

CHAS. P. SMITH,
G. H. CHETWOOD,
Majority of Com.

Which report was read.

Mr. Hoxsey, from the minority of said special Committee, presented the following Report:

The undersigned, the minority of the Committee appointed to investigate certain alledged attempts to control legislation, under the Senate Resolutions of March 1st, 1855, reports that he cannot consent to the report of the majority of the Committee, because said report is not founded upon any thing worthy of the character of being regarded as evidence—*the* only party producing evidence upon the subject refusing to be sworn before the Committee. The undersigned reports that the Committee met and by resolutions agreed that they would take no examination except under oath—that the Committee examined two witnesses—Messrs. Chetwood and Hoxsey—of the Committee, under oath, but did not obtain any evidence by such examination within the scope of their appointment calculated to show that any attempt had been made to improperly control the Senate upon the questions at issue before the Committee.

That the examination, from the fact that the Committee could hardly refuse an examination however wide, took a range entirely outside and beyond the scope of their appointment, and was extended to matters entirely beyond the subjects really placed before said Committee, by authority of the Senate. And that notwithstanding such examination, no evidence was given calculated to sustain the charge.

The undersigned submits that there has been handed to the Committee a written paper, from the Hon. R. C. Stults, a statement prepared, with great caution and care by some gentleman of acute legal attainments, in the pay of the Plank Road, which from the want of being explicit as to the names of the persons charged, leaves the imputation of foul dealing upon all the opponents of the Plank Road, without giving any of them the power of appearing before the Committee in their self-defence, or even explaining the circumstances under which these offers were made.

From the fact that the examination has not been made before the Committee,—that it is not the production of Mr. Stults, but that of a plank road party, and is entitled to but little reliance in the opinion of the undersigned, inasmuch as the parol statements of Mr. Stults represent the whole proposition of buying wood and corn as mere matters of pleasantry, in which the offer of the five hundred and one hundred dollars constituted a portion thereof.

THOS. D. HOXSEY,
Minority of said Committee.

Which was read.

The resolution presented with the report of the majority of said Special Committee as follows:

"*Resolved*, That this Committee be continued with authority to make further investigation and report,"

Was then read and agreed to.

On motion of Mr. Chetwood,

It was ordered, That five hundred copies of said reports be printed under the direction of said Committee for the use of the Senate.

Mr. Roberts offered the following resolution:

Resolved, That when the Senate adjourns it adjourn to meet an Monday next, at three o'clock, P. M.,

Which was read

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Depew, Hoxsey, Rea, Somers—6.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Smith, Stults, Swain—11.

So said resolution

Was not agreed to.

On motion of Mr. Roberts,

The Senate then adjourned.

At three o'clock the Senate met.

Mr. Allen, in behalf of Mr. Roberts, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

Supplement to the act entitled 'an act to incorporate the Camden and Atlantic Railroad Company,' approved March nineteen, eighteen hundred and fifty two.

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

Mr. Franklin, from the Committeeon Engrossed Bills, reported that they had examined

The bill entitled,

An act to incorporate the Dover Mining and Manufacturing Company;

Also,

The bill entitled,

A supplement to an act entitled "An act to incorporate the New Jersey Exploring and Mining Company," approved February fifteenth, one thousand eight hundred and forty-nine, and a supplement thereto, approved February twelfth, one thousand eight hundred and fifty-two,

And find the same to be severally correctly engrossed.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 85, entitled,

An act to incorporate the Lodi Manufacturing Company.

DANIEL D. DEPEW,
Ch'm of said Committee.

March 2, 1855.

Mr. Somers, from the Committee on Claims and Pensions, to which was referred the memorial of Sarah Hyer, reported

A bill entitled

An act for the relief of Sarah Hyer, widow of William Hyer, deceased.

Which was read for the first time by its title, and ordered to have a second reading.

On motion of Mr. Allen, the consideration of

The bill entitled,

An act to create the county of Union,

Was made the special order of the day for Tuesday next.

Mr. I. Bonnell offered the following resolution:

Resolved, That when the Senate adjourns it adjourn to meet again on Monday next, at three o'clock, P. M.

Which was read and agreed to.

Mr. Franklin moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

Upon its final passage at this time,

The bill from the House of Assembly entitled,

An act to establish a new township in the county of Camden, to be called the township of Centre.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Franklin, Laird, Martin, Rea, Somers, Smith, Stults Swain—13.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The engrossed bill entitled,

A supplement to an act entitled 'an act to incorporate the New Jersey Exploring and Mining Company,' approved February fifteenth, one thousand eight hundred and forty-nine, and a supplement thereto, approved February twelfth, one thousand eight hundred and fifty-two,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Laird. Martin, Rea, Somers, Smith, Stults, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill entitled,

An act to authorize the Trustees of the Methodist Episcopal Church at Cedar Grove, in the county of Mercer, to sell and convey certain real estate,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill from the House of Assembly, entitled,

An act for the relief of the Methodist Episcopal Church of Middletown Point, in the township of Raritan, in the county of Monmouth,

Was taken up, read a second time, considered and agreed to and ordered to have a third reading.

The bill from the House of Assembly entitled,

A further supplement to the act entitled 'an act to incorpor-

ate a company to form an artificial navigation between the Passaic and Delaware rivers,'

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

A message was received from His Excelleney, the Governor by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, March 2, 1855.

Hon. Wm. C. Alexander,
President of the Senate,

SIR—I have this day signed and approved the following bills, which originated in your House:

An act to incorporate the Lodi Manufacturing Company;

An act to incorporate the Philadelphia and Cape Island Telegraph Company.

RODMAN M. PRICE.

The bill from the House of Assembly, entitled,

An act supplement to an act to establish a uniform standard of weights and measures in this state," approved April seventeenth, eighteen hundred and forty-six,

Was taken up, read a second time, considered by sections, amended and agreed to, the amendments ordered to be engrossed and the bill to have a third reading.

The bill from the House of Assembly entitled

An act to change the time of holding the town meetings in the township of Hamilton, in the county of Mercer,

Was taken up, read a second time, the first and only section considered, agreed to, and the bill ordered to have a third reading.

The bill from the House of Assembly, entitled

A further supplement to the act entitled "An act against Usury," approved April tenth, eighteen hundred and forty-six;

Was taken up, read a second time, considered by sections, amended and agreed to, and the amendments ordered to be engrossed and the bill to have a third reading.

Mr. Smith moved that the vote by which the reports of the majority and minority of the special committee to investigate the charge of an attempt to bribe a Senator, was ordered to be printed,

Be re-considered.

Which motion was agreed to, and the vote re-considered.

Mr. Hoxsey, from the Committee of the two Houses of the Legislature upon the encroachments made in the harbor of New York, reported

Joint resolutions entitled,

Joint resolutions in relation to encroachments on the harbor of New York.

Which were read for the first time by their title, and ordered to have a second reading.

The same Senator, from the Committee on the Judiciary, to which was referred

The bill entitled,

Supplement to the act entitled 'an act to regulate Elections, approved April sixteenth, eighteen hundred and forty-six,

Reported the same
Without amendment.

The bill from the House of Assembly entitled

An act to incorporate the Perth Amboy and Woodbridge Railroad Company,

Was taken up, and pending the reading of the same,

On motion of Mr. Stults, the further consideration of said bill was postponed for the present.

Mr. Allen moved that the vote by which

The bill entitled,
An act to create the county of Union,

Was made the special order of the day for Tuesday next,

Be re-considered.

Which motion was agreed to, and the vote re-considered.

The bill from the House of Assembly entitled

A further supplement to the act entitled 'an act to encourage the establishment of Mutual Loan and Building Associations,' approved the twenty-eighth day of February, eighteen hundred and forty-nine;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly entitled

A supplement to the act entitled 'an act to incorporate the New Brunswick Insurance Company, in the counties of Middlesex and Somerset;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

A supplement to an act entitled 'an act to incorporate the Almonesson and Westville Turnpike Company,' passed the eleventh day of March, eighteen hundred and fifty-three;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

A supplement to an act entitled 'an act incorporating Homestead and Building Companies,' approved February twenty-fifth, one thousand eight hundred and fifty-two,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Hoxsey moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A supplement to an act entitled "An act concerning Roads," approved April sixteenth, eighteen hundred and forty-six,

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly, entitled

An act to incorporate the New Brunswick Sacred Music Society,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The joint resolution from the House of Assembly entitled

A Joint Resolution for the appointment of Commissioners to revise the School Laws of this State, and to extend and codify the same,

Was taken up, read a second time, considered and agreed to, the title considered, amended and agreed to, the amendments ordered to be engrossed, and the joint resolution to have a third reading.

On motion of Mr. Allen,

The Senate then adjourned.

MONDAY, March 5, 1855.

At three o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of Friday was read and approved.

Mr. Franklin moved that the vote by which

The bill from the House of Assembly, entitled

An act to change the time of holding the town meetings in the township of Hamilton, in the county of Mercer:

Was ordered to have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Said bill was then taken up upon its second reading, and amended by adding an additional section, and the amendments ordered to be engrossed, and the bill to have a third reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly, entitled

A supplement to an act entitled 'an act to incorporate the New Brunswick Insurance Company, in the counties of Middlesex and Somerset;

Also,

The bill from the House of Assembly entitled,

A supplement to an act entitled 'an act to incorporate the Almonesson and Westville Turnpike Company,' passed the eleventh day of March, A. D. eighteen hundred and fifty-three,

Reported the same, severally,
Without amendment.

The same Senator, from the same Committee, to which was re-committed

The bill entitled,

A further supplement to an act entitled "an act to incorporate the New Jersey Railroad and Transportation Company," passed the seventh day of March, one thousand eight hundred and thirty-two,

Reported the same,
With amendments.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The amendments made in the Senate to

The bill from the House of Assembly entitled,

An act supplementary to an act to establish a uniform standard of weights and measures in this state, approved April seventeenth, eighteen hundred and forty-six;

Also,

An act to incorporate the Mount Holly and Pemberton South Turnpike Company;

Also,

An act to establish the city of Elizabeth;

And find the same to be correctly engrossed.

Mr. Martin offered the following resolution:

Resolved, That the amendments adopted by the Senate to

the law commissioner's bill in relation to the orphan's court, and also the amendments recommended by Judiciary Committee and the law commissioners to the bill concerning evidence, and the bill concerning absconding and absent debtors, be printed for the use of the two Houses.

Which was read and agreed to.

The bill entitled,

An act to incorporate the Peapack and Plainfield Railroad Company,

Which was postponed pending the consideration of the fourth section of said bill,

Was taken up.

Mr. Martin moved that the vote by which the first section was agreed to,

Be re-considered, in order to amend the same.

Which motion was agreed to, and the vote re-considered.

Said section was then amended and agreed to.

The fourth section was then considered, amended and agreed to.

The remaining sections were then considered and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill from the House of Assembly entitled,

A further supplement to an act entitled "An act to provide for the organization of the State Lunatic Asylum, and for the care and maintenance of the Insane," approved February twenty-third, eighteen hundred and forty-seven;

Was taken up, read a second time, considered and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

A further supplement to the act entitled 'an act for the preservation of Clams and Oysters,' passed the fourteenth day of April, eighteen hundred and forty-six,

Was taken up, read a second time, considered and agreed to, and ordered to have a third reading.

On motion of Mr. Laird,

The Senate then adjourned.

TUESDAY, March 6, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Vanhorn.

The journal of the previous day was read and approved.

Mr. Martin presented a petition from Millstone in favor of the passage of the law authorizing the New Jersey Railroad and Transportation Company to straighten the route of their road between Newark and New York, and to build a bridge across the Passaic river at Market street.

Which was ordered to lie on the table without reading.

Mr. Somers presented a remonstrance from John Pennington and others, citizens of the county of Atlantic, against the law authorizing the building of a bridge over the Mullicas river, at Green Bank.

Which, on motion of the same Senator, was laid on the table without reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled

An act to alter and amend the articles of association of the Bank of New Jersey,

Reported the same,
With amendments.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The amendments made in the Senate to

The bill from the House of Assembly entitled,

An act relative to the Public Printing.

And find the same to be correctly engrossed.

Also,

That they have examined

The bill entitled,

An act to authorize the Trustees of the Methodist Episcopal Church at Cedar Grove, in the county of Mercer, to sell and convey certain real estate,

And find the same to be correctly engrossed.

Mr. Hoxsey, from the Committee on the Judiciary, reported from the Law Commissioners,

The bill entitled,

A supplement to an act approved April the sixteenth, eighteen hundred and forty-six, and entitled 'an act regulating proceedings and trials in criminal cases,'

Also,

The bill entitled,

A further supplement to an act entitled, an act relative to the court of errors and appeals,' approved April sixteenth, eighteen hundred and forty-six.

Which were severally read for the first time by their titles, and ordered to have a second reading.

The engrossed bill entitled,

A supplement to an act entitled "An act to authorize the inhabitants of the township of Morris, in the county of Morris, to vote by ballot at their town-meetings; passed February twenty-third, eighteen hundred and forty-three,

Was taken up and having been read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Dover Mining and Manufacturing Company;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, Cowperthwaite, Depew, Franklin, Martin, Rea, Robertson, Somers, Smith, Stults—10.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, Laird, Roberts—4.

The engrossed bill entitled,

An act to authorize the Trustees of the Methodist Episcopal Church at Cedar Grove, in the county of Mercer, to sell and convey certain real estate,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres), Allen, A. V. Bonnell, Cowperthwaite, Depew, Franklin, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled

A further supplement to the act entitled 'an act to incorporate a company to form an artificial navigation between the Passaic and Delaware rivers,'

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Cowperthwaite, Depew, Franklin, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled

An act for the relief of the Methodist Episcopal Church of Middletown Point, in the township of Raritan, in the county of Monmouth,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, Cowperthwaite, Depew, Franklin, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

The bill from the House of Assembly entitled,

"An act supplement to an act to establish a uniform standard of weights and measures in this state," approved April seventeenth, eighteen hundred and forty-six,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Shall this bill from the House of Assembly, as amended, pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander (Pres.) Allen, A. V. Bonnell, Cowperthwaite, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Somers, Smith, Stults—13.

NAYS—Messrs. Depew, Robertson—2.

Ordered, That the President sign said bill, the Secretary

carry it to the House of Assembly, and inform them that the Senate has paseed said bill from the House of Assembly with sundry amendments, in which amendments their concurrence s requested.

The bill from the House of Assembly, entitled,

A further supplement to an act entitled 'an act for the preservation of Clams and Oysters,' passed the fourteenth day of April, eighteen hundred and forty-six,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. A. V. Bonnell, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Smith, Stults—12.

NAYS—Messrs. Alexander, (Pres.) Allen, Roberts—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled,

A supplement to an act entitled "An act to secure to mechanics and others payment for their labor and materials, in erecting any building." approved March eleven, eighteen hundred and fifty-three;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative, as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, Cowperthwaite, Franklin, Laird, Roberts, Smith, Stults—8.

NAYS—Messrs. Depew, Rea, Robertson, Somers—4.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill entitled,

A further supplement to the act concerning taxes,

Was taken up upon its second reading, and,

On motion of Mr. Robertson, the further consideration of the same was indefinitely postponed.

The bill entitled,

An act to incorporate the Bank of Elizabethport,

Was taken up upon its second reading.

Mr. Hoxsey moved that the further consideration of said bill be indefinitely postponed.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows :

AYES—Messrs. Depew, Hoxsey—2.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Cowperthwaite, Frankin, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults—13.

So said motion

Was not agreed to.

The further consideration of said bill was then postponed for the present.

The bill entitled,

A further supplement to the act approved April sixteenth,

eighteen hundred and forty-six, and entitled "an act for the relief of creditors against absent and absconding debtors,'

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act concerning Evidence,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

A further supplement to the act entitled "an act for the more easy partition of lands held by co-partners, joint tenants, and tenants in common,"

Was taken up, read a second time, the first and only section considered, amended and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

A supplement to the act entitled "an act for the punishment of Crimes;"

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The Joint resolutions entitled,

Joint resolutions in relation to encroachments made in the harbor of New York,

Were taken up, read a second time, considered, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act for the relief of stockholders holding stock in the incorporated companies of this state.

Was taken up, read a second time, considered by sections and

agreed to, and ordered to be engrossed and have a third reading.

Mr. Smith gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Pennsgrove Pier Company.

Mr. Hoxsey gave notice that he would on to-morrow or some future day ask leave to introduce

A bill entitled,

An act to repeal an act entitled an act to incorporate the People's Bank of Paterson.

A message was received from His Excellency, the Governor by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, March 6, 1855.

Hon. Wm. C. Alexander,
President of the Senate,

SIR—I have this day signed and approved the following bill, which originated in your House:

Further supplement to the act entitled 'an act to incorporate the Morris and Essex Railroad Company,' passed the twenty-ninth day of January, eighteen hundred and thirty-five.

RODMAN M. PRICE.

Mr. Stults moved a suspension of so much of the twenty third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to change the name of the First Presbyterian Church of South Trenton to Second Presbyterian Church of Trenton.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary

On motion of Mr. Laird,

The Senate then adjourned.

At three o'clock the Senate met.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows:

HOUSE OF ASSEMBLY, March 6, 1855.

Mr. President:—

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

An act to authorize Michael M. Williams, his heirs or assigns,

to erect a toll draw or swing bridge over the Elizabethtown creek.

Also,

The bill entitled,

An act to incorporate the Mount Holly and Eayrestown Turnpike Company.

Also,

The bill entitled,

An act to incorporate the Burlington and Willingboro' Turnpike Company.

Also,

The bill entitled,

An act to define that part of the division line between the Counties of Middlesex and Somerset, lying between the Kingston Bridge and Little Rocky Hill, in this State.

Also,

The bill entitled

An act to incorporate the Union Blues of Newark.

Also,

The bill entitled,

An act to incorporate the Lawrenceville, Berkley and Thorofare, Turnpike Company.

Also,

The bill entitled,

An act to empower Mary Morris, administratrix of John B. Morris, deceased, to execute a deed.

Also,

The bill entitled,

A Further Supplement to an act entitled "A act concerning Roads," approved April sixteenth, eighteen hundred and forty-six.

Also,

The bill entitled,

An act to correct a mistake made by the Engrossing Clerk of the House of Assembly, in the year one thousand eight hundred and fifty-four.

Also,

The bill entitled,

A Supplement to an act entitled "An act to incorporate the Hibernian Provident Society, of the Town of Newark," passed February eighteeenth, one thousand eight hundred and thirty-five.

Also,

The bill entitled,

An act to change the name of Eliza Paterson, adopted daughter of P. B. and Esther G. M'Cullouch, of Florence, in the County of Monmouth, to Eliza Paterson M'Cullouch.

Also,

The bill entitled,

An act to incorporate the Hudson and Hackensack Tunnel and Through Cut Company.

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly have passed the bill from the Senate entitled,

A further supplement to the act entitled "An act to incorporate the City of Paterson," approved March nineteenth, eighteen hundred and fifty-one :

With sundry amendments, in which amendments, in whi ch the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

Mr. Martin presented a petition from Stephen H. Doty and others, citizens of Newark, in favor of the passage of the law authorizing the New Jersey Railroad and Transportation Company to straighten the route of their road between Newark and New York, and to build a bridge across the Passaic river at Market street.

Which was ordered to lie on the table without reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled

Supplement to the act entitled 'an act to incorporate the Camden and Atlantic Railroad Company,' approved March nineteenth, eighteen hundred and fifty-two,

Reported the same
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The amendments made in the Senate to

The bill from the House of Assembly entitled,

An act to change the time of holding the town meetings in the township of Hamilton, in the county of Mercer,

Also,

The bill from the House of Assembly, entitled

A further supplement to the act entitled "An act against Usury," approved April tenth, eighteen hundred and forty-six;

Also,

The amendments made in the Senate to

The joint resolution from the House of Assembly entitled

A Joint Resolution for the appointment of Commissioners to revise the School Laws of this State, and to extend and codify the same,

And find the same to be severally correctly engrossed.

The bill from the House of Assembly entitled

An act to empower Mary Morris, administratrix of John B. Morris, deceased, to execute a deed,

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly, entitled,

An act to define that part of the division line between the Counties of Middlesex and Somerset, lying between the Kingston Bridge and Little Rocky Hill, in this State,

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly entitled,

An act to incorporate the Burlington and Willingboro' Turnpike Company,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

An act to incorporate the Hudson and Hackensack Tunnel and Through Cut Company,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to correct a mistake made by the Engrossing Clerk of

the House of Assembly, in the year one thousand eight hundred and fifty-four,

Was taken up and read for the first time by its title ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly entitled,

A Further Supplement to an act entitled "An act concerning Roads," approved April sixteenth, eighteen hundred and forty-six,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly, entitled

An act to incorporate the Union Blues of Newark,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled

An act to incorporate the Mount Holly and Eayrestown Turnpike Company,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled

An act to change the name of Eliza Paterson, adopted daughter of P. B. and Esther G. M'Cullouch, of Florence, in the County of Monmouth, to Eliza Paterson M'Cullouch,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly, entitled

An act to authorize Michael M. Williams, his heirs or assigns,

to erect a toll draw or swing bridge over the Elizabethtown creek,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly entitled,

An act to incorporate the Lawrenceville, Berkley and Thorofare Turnpike Company,

Was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations

The bill from the House of Assembly entitled

A Supplement to an act entitled "An act to incorporate the Hibernian Provident Society, of the Town of Newark," passed February eighteeenth, one thousand eight hundred and thirty-five,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations

The bill entitled,

A further supplement to the act entitled "An act to incorporate the City of Paterson," approved March nineteenth, eighteen hundred and fifty-one:

And the amendments made thereto in the House of Assembly,

Was taken up, and the amendments read and concurred in and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill from the House of Assembly entitled,

An act to incorporate the Mount Holly and Pemberton South Turnpike Company;

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly entitled,

An act to change the time of holding the town meetings in the township of Hamilton, in the county of Mercer,

And the amendments made thereto in the Senate,

Was taken up, and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres), Allen, A. V. Bonnell, Depew, Franklin, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults—13.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

Mr. Martin moved that the vote by which

The amendments made in the Senate to

The joint resolution from the House of Assembly entitled

A Joint Resolution for the appointment of Commissioners to revise the School Laws of this State, and to extend and codify the same,

Was ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator then moved that the vote by which the second joint resolution was agreed to,

Be re-considered, in order to amend the same.

Which motion was agreed to, and the vote re-considered.

Said resolution was then amended and agreed to, the amendments ordered to be engrossed, and the joint resolutions ordered to have a third reading.

The bill entitled,

Supplement to the act to regulate Elections, approved April sixteenth, eighteen hundred and forty-six,

Was taken up, read a second time, the first and only section considered, amended and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the Perth Amboy and Woodbridge Railroad Company,

Was taken up, read a second time, and pending the consideration thereof,

Under the direction of the President, the Secretary proceeded to call the Senate, when the following Senators appeared in their seats, and answered the call:

Messrs. Alexander (Pres.,) Allen, Cowperthwaite, Depew, Franklin, Rea, Robertson, Somers, Smith, Stults—10.

There being no quorum present,

On motion of Mr. Allen the Sergeant at arms was dispatched for the absentees.

After a short absence—a quorum appearing—all further proceedings under the call were dispensed with.

The consideration of said bill was then resumed, and having been considered by sections and agreed to, was ordered to have a third reading.

The bill from the House of Assembly entitled,

A supplement to an act entitled 'an act to incorporate the New Brunswick Insurance Company, in the counties of Middlesex and Somerset;

Was taken up, read a second time, the first and only section considered, agreed to, and the bill ordered to have a third reading.

The bill entitled

An act relative to the Princeton Bank,

Was taken up, read a second time, considered by sections amended and agreed to, and ordered to be engrossed and have a third reading.

On motion of Mr. A. V. Bonnell,

The Senate then adjourned.

WEDNESDAY, March 7, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Vanhorn.

The journal of the previous day was read and approved.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 6, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

An act to incorporate the Spruce Run Railroad Company.

Also,

The bill entitled,

A supplement to the act entitled "An act for incorporating Trustees of the New Jersey Baptist Association," passed November twenty-fifth, one thousand eight hundred and twenty-two,

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly have concurred in the amendments made in the Senate to

The bills entitled

An act to incorporate the Burlington and Jacksonville Turnpike Company,

And

An act to incorporate the Union Manufacturing Company, of Gloucester City, Camden County,

And have caused said bills to be re-engrossed, and the amendments to be embodied therein, and have passed the same.

Also,

That the House of Assembly have passed

The joint Resolution from the Senate entitled

Joint Resolution relative to the Early Records of the Supreme Court.

With sundry amendments, in which amendments, the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

Mr. Bramhall presented a petition from sundry citizens of Jersey City, in favor of the passage of the law authorizing the New Jersey Railroad and Transportation Company to straighten the route of their road between Newark and New York, and to build a bridge across the Passaic river at Market street.

Which was ordered to lie on the table without reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly entitled

An act to incorporate the Hudson and Hackensack Tunnel and Through Cut Company,

Also,

The bill from the House of Assembly entitled,

An act to incorporate the Burlington and Willingboro' Turnpike Company,

Also,

The bill from the House of Assembly entitled,

An act to incorporate the Union Blues, of Newark,

Also,

The bill from the House of Assembly, entitled,

An act to incorporate the Mount Holly and Eayrestown Turnpike Company;

Also,

The bill from the House of Assembly, entitled

A supplement to an act entitled 'an act to incorporate the Hibernian Provident Society of the town of Newark,' passed February eighteenth, one thousand eight hundred and thirty-five;

Also,

The bill from the House of Assembly entitled,

An act to incorporate the Lawrenceville, Berkley and Thorofare Turnpike Company;

Reported the same, severally,
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A further supplement to the act approved April sixteenth, eighteen hundred and forty-six, and entitled "an act for the relief of creditors against absent and absconding debtors,'

Also,

The bill entitled,

A further supplement to the act entitled "an act for the more easy partition of lands held by co-partners, joint tenants, and tenants in common,"

Also,

The bill entitled,

A supplement to the act entitled "an act for the punishment of Crimes;"

And find the same to be severally correctly engrossed.

Mr. Hoxsey, from the committee on the Judiciary, to which was referred

The bill from the House of Assembly, entitled

An act to change the name of Eliza Paterson, adopted daughter of P. B. and Esther G. M'Cullouch, of Florence, in the county of Monmouth, to Eliza Paterson M'Cullouch;

Also,

The bill from the House of Assembly, entitled

A further supplement to the act entitled "an act to authorize the business of Banking," approved February twenty-seventh, eighteen hundred and fifty;

Also,

The bill from the House of Assembly, entitled

A further supplement to an act entitled "an act concerning Roads,' approved April sixteenth, eighteen hundred and forty-six,

Also,

The bill from the House of Assembly, entitled,

An act to correct a mistake made by the Engrossing Clerk of the House of Assembly, in the year one thousand eight hundred and fifty-four;

Also,

The bill from the House of Assembly entitled,

An act to define that part of the division line between the Counties of Middlesex and Somerset, lying between the Kingston Bridge and Little Rocky Hill, in this State.

Also,

The bill from the House of Assembly, entitled

A supplement to the act entitled "an act for incorporating Trustees of the New Jersey Baptist Association,' passed November twenty-fifth, eighteen hundred and twenty-two ;

Reported the same, severally
Without amendment.

The same Senator, from the same committee, to which was referred

The bill from the House of Assembly, entitled,

An act to authorize Michael M. Williams, his heirs or assigns, to erect a toll draw or swing bridge over the Elizabethtown creek,

Reported the same without amendment, but with a recommendation that the same do not pass, until a certificate be produced that notice of such application has been given as required by law.

The same Senator from the same Committee presented the following report :

The Committee of the Judiciary, to which has been referred Assembly bill No. 90,

Entitled

An act to authorize the removal of a certain Railroad Track in the City of Newark,

Report

That they have duly considered the said bill, and that they find that the Railroad track, sought to be removed, is claimed

to be held by authority of law: and it is claimed by the Corporation owning the same that their track at the point which it is sought to be removed by this bill, is as lawfully in its place as is their track upon the rest of their Railroad.

It is sufficient that the right to keep the track in controversy is now in litigation in the Court of Chancery, and is undetermined: and that the question can be much better determined upon legal evidence, before that tribunal which is competent at all points to decide this question upon evidence and its merits.

The fact that the matter in controversy is in litigation, should in the opinion of your Committee, exclude legislative action, and the question should be left with the Court, to which it properly belongs.

THOS. D. HOXSEY,
Chairman of Committee.

Which report was read and accepted.

The engrossed bill entitled,

A further supplement to the act approved April sixteenth, eighteen hundred forty-six, and entitled, "an act for the Relief of Creditors against absconding and absent Debtors,"

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird. Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A further supplement to the act entitled, "an act for the more easy partition of lands held by co-partners and joint tenants, and tenants in common,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows?

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Depew Franklin, Howell, Hoxsey, Laird, Martin, Roberts, Smith, Swain—14.

NAYS—Messrs. Rea, Somers, Stults—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act concerning Evidence,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, Depew, Hoxsey, Robertson, Somers—5.

Nays—Messrs. Alexander, (Pres.), A. V. Bonnell, Bramhall, Chetwood, Franklin, Howell, Laird, Rea, Roberts, Smith, Stults, Swain—12.

The engrossed bill entitled,

A supplement to the act entitled, "an act for the punishment of Crimes,"

Was taken up and having been read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly entitled,

An act to establish the city of Elizabeth,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly, as amended, pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said joint resolution, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said joint resolution from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly entitled,

An act relative to the Public Printing,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative as follows:

AYES—Messrs Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain —11.

NAYS—Messrs. Alexander, (Pres) Depew, Hoxsey, Laird, Rea, Robertson, Somers,—7.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly entitled

A further supplement to an act entitled "An act to provide for the organization of the State Lunatic Asylum, and for the care and maintenance of the Insane," approved February twenty-third, eighteen hundred and forty-seven;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative, as follows:

AYES—Messrs. Franklin, Smith—2.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Depew, Howell, Laird, Martin, Robertson, Somers, Stults, Swain—13.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill from the House of Assembly entitled,

A supplement to an act entitled 'an act to incorporate the New Brunswick Insurance Company, in the counties of Middlesex and Somerset;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Somers, Smith, Stults, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled,

An act to authorize the Rector, Wardens and Vestrymen of Christ Church, at Newton, Sussex County, to sell a certain lot of land, held in trust by them:

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Sen-

ate has passed said bill from the House of Assembly, without amendment.

The bill from the House of Assembly, entitled

An act to incorporate the New Brunswick Sacred Music Society,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Somers, Smith, Stults, Swain—10.

NAYS—Messrs. Alexander (Pres.) Cowperthwaite, Depew, Laird, Robertson—5.

Ordered That the Secretary return bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill entitled,

A further supplement to an act entitled "an act to incorporate the New Jersey Railroad and Transportation Company," passed the seventh day of March, one thousand eight hundred and thirty-two,

Was taken up, and the substitute reported by the Committee on Corporations, to which said bill was re-committed, for the proviso to the first section, agreed to on a former reading of said bill, was read and agreed to, the section as amended agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

Supplement to the act entitled 'an act to regulate Elections, passed March twelfth, eighteen hundred and thirty-nine,

Was taken up, read a second time, considered, amended and agreed to, the title amended andagreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

Supplement to the act entitled 'an act to incorporate the Camden and Atlantic Railroad Company,' approved March nineteen, eighteen hundred and fifty two,

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled,

A supplement to the act entitled "an act to enable the owners of the tide-swamp and marshes to improve the same, and the owners of meadow already banked in and held by different persons, to keep the same in good repair," passed the twenty-ninth of November, seventeen hundred and eighty-eight,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act for the relief of Sarah Hyer, widow of William Hyer, deceased,

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. Smith offered the following concurrent resolution :

Resolved, (Assembly concurring) that a Joint Committee of the two Houses be appointed to examine the Perry Rifle, manufactured at Newark, in this State, and report as to the propriety and expense of having a portion or all of the State arms altered to conform to that pattern,

Which was read and agreed to.

The President appointed Messrs. Smith and Robertson such Committee on the part of the Senate.

Ordered, That the Secretary inform the House of Assembly of the passage of said resolution and the appointment of said Committee, and request their concurrence, and the appoint

ment of a similar Committee on the part of the House of Assembly.

The bill from the House of Assembly, entitled

A supplement to the act entitled "an act for the punishment of Crimes;"

Was taken up, read a second time, considered by sections, amended and agreed to, the amendments ordered to be engrossed and the bill to have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the Spruce Run Railroad Company,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

A supplement to the act entitled "An act for incorporating Trustees of the New Jersey Baptist Association," passed November twenty-fifth, one thousand eight hundred and twenty-two,

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill entitled,

A supplement to the act approved April the sixteenth, eighteen hundred and forty-six, entitled 'an act constituting the court of oyer and terminer and general jail delivery;

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

A further supplement to the act entitled 'an act respecting the court of chancery,' approved April the sixteenth, eighteen hundred and forty-six,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

A supplement to an act approved April the sixteenth, eighteen hundred and forty-six, and entitled 'an act regulating proceedings and trials in criminal cases,'

Was taken up, read a second time, considered by sections and amended and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

A further supplement to an act entitled, an act relative to the court of errors and appeals,' approved April sixteenth, eighteen hundred and forty-six,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

On motion of Mr. Howell,

The Senate then adjourned.

At three o'clock the Senate met.

Mr. Allen presented a remonstrance from William W. Ford

and others, citizens of Newark, against the passage of the law authorizing the New Jersey Railroad and Transportation Company to straighten the route of their road between Newark and New York, by a bridge across the Passaic River at Market-street, Newark,

Which was ordered to lie on the table without reading.

Mr. Franklin presented a remonstrance from citizens of the same place upon the same subject,

Which was ordered to lie on the table without reading.

Mr. Somers presented a remonstrance from citizens of the same place upon the same subject,

Which was ordered to lie upon the table without reading.

Mr. Depew presented a remonstrance from citizens of the same place upon the same subject,

Which was ordered to lie on table without reading.

Mr. Hoxsey presented a remonstrance from citizens of the same place upon the same subject,

Which was ordered to lie on the table without reading.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled

An act relative to the Princeton Bank,

And find the same to be correctly engrossed.

Mr. Allen offered the following resolution:

Resolved, That the House of Assembly be requested to return to the Senate for further consideration Assembly bill No. 134, which was disagreed to by the Senate yesterday.

Which was read and agreed to, and the Secretary directed to inform the House of Assembly of the passage thereof.

The joint Resolution entitled

Joint Resolution relative to the Early Records of the Supreme Court,

And the amendments made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill from the House of Assembly entitled,

Supplement to an act entitled 'an act to incorporate the Williamstown and Good Intent Turnpike Company,'

Was taken up, and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres), Allen, A. V. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled

An act to authorize the erection of a draw or swing bridge over the Mullicas river,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—12.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Hoxsey, Rea, Robertson, Somers—7.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The engrossed bill entitled,

An act to provide for the improvement of the dam in the river Delaware at Scudder's Falls,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Robertson, Smith—11.

NAYS—Messrs. Allen, A. V. Bonnell, Depew, Laird, Rea, Roberts, Somers, Stults, Swain—9.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled,

An act to authorize the inhabitants of the several townships in the state to vote by ballot at their annual town meetings,

Was taken up upon its third reading.

Mr. I. Bonnell moved that the vote by which said bill was ordered to have a third reading

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator then moved that said bill be re-committed to the Committee on the Judiciary.

Which motion was agreed to, and the bill re-committed.

The bill from the House of Assembly, entitled

A further supplement to the act entitled "An act against Usury," approved April tenth, eighteen hundred and forty-six;

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the negative, as follows:

AYES—Messrs. Alexander, (Pres.), I. Bonnell, Chetwood, Depew, Franklin, Hoxsey, Laird, Somers—8.

Nays—Messrs. A. V. Bonnell, Cowperthwaite, Howell, Martin, Rea, Roberts, Robertson, Smith, Stults, Swain—10.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill from the House of Assembly, entitled,

An act to incorporate the Perth Amboy and Woodbridge Railroad Company,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows?

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell,

I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird. Martin, Rea, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

Mr. Laird offered the following resolution :

Resolved, That Assembly bill No. 8, entitled a supplement to the act to incorporate the Newark Plank Road and Ferry Company, be postponed to the next session of the Legislature, in order to allow time for the appointment of Commissioners to examine into the effect of the erection of said bridge upon the navigation of the Passaic River, and also to allow time for said Commissioners to report upon a plan for the structure of said Bridge that will do least injury to the navigation of said river.

Which was read.

Mr. Hoxsey moved to amend said resolution by striking out all after the word *resolved*, and inserting the following words " That the Governor's veto of the 'Supplement to the act to incorporate the Newark Plank Road and Ferry Company' be now taken up,

Which amendment was agreed to.

Said bill was then taken up, and the objections of the Governor read.

Mr. Chetwood moved that the further consideration of the same be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, Bramhall, Chetwood, Cowperthwaite, Frankin, Howell, Martin, Roberts, Smith, Stults, Swain—11.

NAYS—Messrs. Alexander, (Pres.) A.V. Bonnell, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers,—9.

So said motion was agreed to, and the further consideration of the same postponed for the present.

The engrossed bill entitled,

A supplement to the act entitled 'an act to incorporate the Warren Railroad Company,'

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative as follows:

AYES—Messrs. Alexander, (Pres) A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin —9.

NAYS—Messrs. Allen, Depew, Hoxsey, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—10.

Mr. Smith, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Pennsgrove Pier Company.

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 7, 1855.

Mr. President:

I am directed by the House of Assembly to return to the Senate Assembly bill No. 134,

Which was disagreed to by the Senate.

P. D. VROOM, Clerk.

Mr. Roberts moved that the vote by which

The bill entitled,

An act to incorporate the Dover Mining and Manufacturing Company;

Was disagreed to yesterday upon its final passage,

Be re-considered.

Which motion was agreed to, the vote re-considered, and the bill ordered to stand upon its third reading.

Mr. Robertson moved that the vote by which

The bill from the House of Assembly entitled,

Supplement to an act entitled 'an act to secure to mechanics and others payment for their labor and materials in erecting any building,' approved March eleventh, eighteen hundred and fifty-three,

Was disagreed to yesterday upon its final passage,

Be re-considered.

Which motion was agreed to, the vote re considered, and the bill ordered to stand upon its final reading.

Mr. Hoxsey, from the Joint Committee on the State Library, reported

A bill entitled,

A supplement to the act entitled 'an act to regulate the State Library,' approved April the tenth, eighteen hundred and forty-six.

Which was read for the first time by its title, and ordered to have a second reading.

Mr. Hoxsey moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A Further Supplement to the act entitled "an act against Usury," approved April tenth, eighteen hundred and forty-six.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A further supplement to an act entitled "an act to incorporate the New Jersey Railroad and Transportation Company," passed the seventh day of March, one thousand eight hundred and thirty-two,

And find the same to be correctly engrossed.

Mr. Depew moved that the Secretary be directed to request the House of Assembly to return to the Senate for further consideration,

The bill from the House of Assembly, entitled

An act to incorporate the New Brunswick Sacred Music Society,

Which was disagreed to by the Senate this morning.

Which motion was agreed to, and the Secretary so directed.

The bill from the House of Assembly entitled,

An act to regulate and widen the Draws in the bridges over the Passaic river,

Which was postponed some days since, pending the consideration of the first section thereof,

Was taken up, the first and remaining sections considered and agreed to, and,

On motion of Mr. Allen, the further consideration of the same was postponed until to-morrow.

Mr. Howell offered the following concurrent resolution:

Resolved, (House of Assembly concurring,) That this Legislature will adjourn *sine die* on Saturday the 17th of March, 1855.

Which was read.

Mr. Allen moved that the further consideration of the same be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Martin, Stults—5.

NAYS—Messrs. Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Rea, Robertson, Somers, Swain—12.

So said motion

Was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Bramhall, Chetwood, Cowperthwaite, Depew, Howell, Hoxsey, Laird, Rea, Robertson, Somers, Swain—11.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Franklin, Martin, Stults,—6.

So said resolution

Was agreed to.

Ordered, That the Secretary inform the House of Assembly

of the passage of said resolution, and request their concurrence.

On motion of Mr. Robertson,

The Senate then adjourned.

THURSDAY, March 8, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Van horn.

The journal of the previous day was read and approved.

Mr. A. V. Bonnell moved that the vote by which

The bill entitled,

An act concerning Evidence,

Was disagreed to yesterday upon its final passage,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator then moved that said bill be re-committed to the Committee on the Judiciary.

Which motion was agreed to, and the bill re-committed.

Mr. Stults moved that the vote by which

The bill entitled,

Supplement to the act entitled 'an act to incorporate the Warren Railroad Company,'

Was disagreed to yesterday upon its final passage,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres) A.V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Frankin, Howell, Laird, Martin, Roberts, Smith, Stults—13.

NAYS—Messrs. Allen, Depew, Hoxsey, Rea, Robertson, Somers, Swain—7.

So said motion was agreed to, and the vote re-considered.

Mr. Bramhall offered the following resolution :

Resolved, That the Secretary inform the House of Assembly that the Senate are not ready to go into Joint Meeting to-day as fixed by the resolution of Wednesday the 21st of February, but will communicate hereafter when they will be ready.

Which was read,

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

AYES—Messrs. Alexander, (Pres), A. V. Bonnell, I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Roberts, Robertson, Somers—11.

NAYS—Allen, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Smith, Stults, Swain—9.

So said resolution was agreed to, and the Secretary directed to inform the House of Assembly of the passage thereof.

Mr. Franklin moved that the vote by which

The bill entitled,

An act to provide for the improvement of the dam in the river Delaware at Scudder's Falls,

Was agreed to yesterday upon its final passage,

Be re-considered.

Mr. A. V. Bonnell moved to call of the Senate, which being sustained and ordered the Secretary proceeded to call the Senate when the following Senators appeared in their seats and answered the call :

Present

Messrs· Alexander, (Pres). Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

On motion of Mr. A. V. Bonnell, the Sergeant at Arms was dispatched for the absent Senator.

After a short absence the absent Senator appearing in his seat, all further proceedings under the call were dispensed with.

The consideration of the motion to re-consider the vote by which said bill was agreed to, was then resumed, and the motion to re-consider agreed to, and the bill ordered to stand upon its third reading.

Mr. Franklin gave notice that he would on to-morrow or some future day ask leave to introduce

A bill entitled,

An act relative to the Red Bank and Woodbury Turnpike or Macadamized Road Company.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly, entitled

An act to incorporate the Spruce Run Railroad Company,

Also,

The bill entitled

An act to incorporate the Pennsgrove Pier Company,

Reported the same, severally,
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A supplement to the act approved April the sixteenth, eighteen hundred and forty-six, entitled 'an act constituting the court of oyer and terminer and general jail delivery;

Also,

The bill entitled,

A further supplement to the act entitled 'an act respecting the court of chancery,' approved April the sixteenth, one thousand eighteen hundred and forty-six,

Also,

The re-engrossed bill entitled,

An act in relation to the early records of the Supreme Court.

Also,

The amendments made in the Senate to

The joint resolution from House of Assembly entitled,

A Joint Resolution for the appointment of Commissioners to revise the School Laws of this State, and to extend and codify the same,

And find the same to be severally correctly engrossed.

Mr. Chetwood moved that the vote by which

The bill entitled,

An act to create county of Union

Was ordered to be engrossed and have a third reading,

Be-reconsidered.

Which motion was agreed to, and the vote re-considered accordingly.

The engrossed bill entitled,

An act to incorporate the Dover Mining and Manufacturing Company,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Hoxsey, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—14.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, Cowperthwaite, Howell, Laird, Smith—6.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to provide for the improvement of the dam in the river Delaware at Scudder's Falls,

Was taken up and having been read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall,

Chetwood, Cowperthwaite,Depew,Howell, Hoxsey, Martin, Robertson, Smith—11.

NAYS—Messrs. Allen, A. V. Bonnell, Franklin, Laird, Rea, Roberts, Somers, Stults, Swain—9.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The re-engrossed bill entitled,

An act in relation to the early records of the supreme court,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall,Chetwood, Cowperthwaite,Depew, Franklin, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—Mr. Howell—1.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made thereto in the House of Assembly, and has ordered said bill to be re-engrossed, and has passed the same.

The engrossed bill entitled,

A further supplement to act entitled "an act to incorporate the New Jersey Railroad and Transportation Company," passed the seventh day of March, one thousand eight hundred and thirty-two,

Was taken up upon its final passage.

Mr. Depew moved that the further consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. A. V. Bonnell, I. Bonnell, Depew, Laird, Rea, Robertson, Somers, Smith—8.

NAYS—Messrs. Alexander, (Pres.) Allen, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Stults, Swain —10.

So said motion was not agreed to.

Said bill was then read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. A. V. Bonnell, Depew, Laird, Rea, Robertson Somers—6.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly entitled,

Supplement to an act entitled 'an act to secure to mechanics and others payment for their labor and materials in erecting any building,' approved March eleventh, eighteen hundred and fifty-three,

Was taken up and having been read a third time,

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell,

I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—17.

Nays—Mr. Depew—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

Mr. Chetwood moved that

The bill from the House of Assembly, entitled

A supplement to an act entitled "An act to incorporate the Newark Plank Road and Ferry Company," approved February twenty-fourth, eighteen hundred and forty-nine,

Returned with the objections of the Governor to the same, be made the special order of the day for Wednesday next.

Which motion was agreed to.

Mr. Stults moved that the vote by which

The bill from the House of Assembly, entitled,

A further supplement to the act entitled "An act against Usury," approved April tenth, eighteen hundred and forty-six,

Was disagreed to yesterday upon its final passage.

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Mr. I. Bonnell moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. Alexander, (Pres), A. V. Bonnell, I. Bonnell, Bramhall, Depew, Laird, Martin, Rea, Roberts, Robertson, Somers—11.

NAYS—Chetwood, Franklin, Howell, Smith, Stults, Swain —6.

So said motion was agreed to.

And thereupon the Senate adjourned.

At three o'clock the Senate met.

Mr. Allen, from the Committee on the Judiciary, to which was referred

A further supplement to the act entitled "An act against Usury," approved April tenth, eighteen hundred and forty-six;

Reported the same
Without amendment.

The joint resolution from House of Assembly entitled,

A Joint Resolution for the appointment of Commissioners to revise the School Laws of this State, and to extend and codify the same,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this joint resolution from the House of Assembly as amended pass ?

It was decided in the affirmative as follows :

Ayes—Messrs. Alexander, (Pres), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Depew, Howell, Martin, Rea, Roberts, Robertson, Somers ,Stults, Swain—14.

Nays—None.

Ordered, That the President sign said joint resolution, the Secretary carry it to the House of Assembly, and inform them that the Senate has paseed said joint resolution from the House of Assembly with sundry amendments, in which amendments their concurrence s requested.

Mr. Howell, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Bridgeton and Marlton Turnpike Company ;

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Chetwood gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled

An act to incorporate the Elizabethport Land Improvement and Manufacturing Company.

The bill entitled,

An act to incorporate the Pennsgrove Pier Company,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The bill entitled,

An act to incorporate the Bay City Company,

Which was postponed some days since, pending the consideration of the title thereof,

Was taken up.

Mr. Bramhall moved that the vote by which the sixth section was agreed to,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Said section was then amended and agreed to.

The same senator moved that the vote by which the fourth section was agreed to,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Said section was then amended and agreed to.

Said bill having been read a second time, considered by sections and amended and agreed to, was ordered to be engrossed and have a third reading.

The bill entitled,

An act in relation to the early records of the Supreme Court,

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The bill entitled,

An act to change the name of the First Presbyterian Church of South Trenton to Second Presbyterian Church of Trenton,

Was taken up, read a second time, considered by sections, amended and agreed to, the amendments ordered to be engrossed and the bill to have a third reading.

The bill from the House of Assembly entitled,

An act to change the names of Charles Duch and Maria Duch, his wife, of Hoboken, in the county of Hudson,

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to have a third reading.

The bill from the House of Assembly entitled,

An act to incorporate the West Jersey and Philadelphia Pressed Brick Company;

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows:

HOUSE OF ASSEMBLY, March 8, 1855.

Mr. President:—

I am directed to inform the Senate that the House of Assembly has passed the following resolution:

Resolved, That the House is not ready to fix the time of adjournment *sine die* on the 17th instant, but will communicate with the Senate hereafter.

I am also directed, in accordance with the request of the Senate, to return to the Senate

The bill entitled,

An act to incorporate the New Brunswick Sacred Music Society,

Which was disagreed to by the Senate.

Also,

That the House of Assembly have passed

The bill from the Senate entitled,

An act to increase the capital stock of the State Bank at Elizabeth,

Without amendment.

P. D. VROOM, Clerk.

Mr. Roberts moved that the vote by which

The bill from the House of Assembly entitled

An act to incorporate the New Brunswick Sacred Music Society,

Was disagreed to yesterday upon its final passage,

Be re-considered.

Which motion was agreed to, and the vote re-considered.

Mr. Chetwood moved that

The engrossed bill entitled,

Supplement to the act entitled 'an act to incorporate the Warren Railroad Company,'

Be now taken up upon its final passage.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) A.V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Frankin, Howell, Laird, Martin, Roberts, Smith, Swain—13.

NAYS—Messrs. Allen, Depew, Rea, Robertson, Somers—5.

So said motion

Was agreed to.

Said bill was then taken up, and having been read a third time,

Upon the question,

Shall this engrossed bill pass ?

It was decided in the affirmative, as follows :

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts—11.

NAYS—Messrs. Allen, Depew, Rea, Robertson, Somers, Smith, Stults, Swain—8.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled,

An act to incorporate the Hudson Land and Improvement Company,

Was taken up and read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled,

An act to incorporate the Hope Hose Company, of the city of Burlington ;

Was taken up, read a second time, considered and agreed to and ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to change the name of Eliza Paterson, adopted daughter of P. B. and Esther G. M'Cullouch, of Florence, in the County of Monmouth, to Eliza Paterson M'Cullouch,

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to have a third reading.

The bill from the House of Assembly entitled

An act to authorize the Trustees of the Newark Academy to sell and convey certain real estate in the city of Newark,

Was taken up, read a second time, considered and agreed to, and ordered to have a third reading.

The bill entitled,

An act to increase the capital of the State Bank at Elizabeth,

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The bill from the House of Assembly, entitled

An act to incorporate the Spruce Run Railroad Company,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

A Supplement to the "Act relative to Commissioners for taking the Acknowledgment and Proof of Deeds," approved April fifteenth, eighteen hundred and forty-six,

Was taken up upon its second reading.

Mr. A. V. Bonnell moved that the further consideration of said bill be postponed to the next session of the Legislature.

Which motion was agreed to, and the bill postponed accordingly.

The bill from the House of Assembly entitled,

A further supplement to the act entitled "an act to authorize the business of Banking," approved February twenty-seventh, eighteen hundred and fifty;

Was taken up and read a second time.

The first section thereof as follows:

1. *Be it enacted by the Senate and General Assembly of the state of NewJersey,* That no association shall be hereafter organized under the act to which this is a supplement, or any notes be delivered to any association by the treasurer, until an affidavit in writing is made and filed with the said treasurer, by one or more of the persons applying for such bank, that the whole amount of the capital stock of such contemplated bank is actually paid by the subscribers thereto, in gold, silver or current bank notes.

Being under consideration

Mr. Roberts moved to strike out said section, and insert in the place thereof a new section to be called section one as follows:

1 BE IT ENACTED *by the Senate and General Assembly of the state of New Jersey,* That there shall appointed, triennally, by the Governor, by and with the advice and consent of the Senate, a "Bank Superintendent," who shall hold his office for the term of three years, and until a successor is chosen and qualified to serve in his stead; and said Bank Superintendent shall, before he enters upon the duties of his office, or be admitted to take the oath or affirmation hereinafter prescribed, enter into bond to the state of New Jersey, in the sum of one hundred thousand dollars, with at least ten good and sufficient sureties, being freeholders in said state, in the sum of ten thousand dollars each, with condition for the faithful performance of his duties, and for the fidelity of the person or persons to be by him employed, in the form hereinafter provided, which said bond shall be executed in the presence of and approved by at least two of his justices of the supreme court, and be so indorsby them.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Roberts, Stults, Swain—8.

NAYS—Messrs. Alexander, (Pres), Bramhall, Depew, Laird Martin, Roberts, Somers, Smith—8.

So said motion was not agreed to.

The first section was then agreed to.

The second section was then taken up, and being under consideration,

On motion of Mr. A. V. Bonnell, the further consideration of said bill was postponed for the present.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to incorporate the Pennsgrove Pier Company,

And find the same to be correctly engrossed.

The bill from the House of Assembly, entitled

An act to incorporate the New Brunswick Sacred Music Society,

Was taken up and having been read a third time,

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative as follows:

AYES—Messrs. A. V. Bonnell, Bramhall, Chetwood, Franklin, Laird, Martin, Roberts, Smith, Stults, Swain—10.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Howell, Robertson, Somers—6.

Ordered That the Secretary return bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

Mr. Robertson offered the following resolution:

Resolved, That the Secretary be directed to procure and furnish to each member and officer of the Senate one hundred post-stamped envelopes and two hundred newspaper stamps.

Which was read, and

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Laird, Martin, Roberts, Robertson, Smith, Stults—13.

NAYS—Messrs. A. V. Bonnell, Somers, Swain—3.

So said resolution was agreed to.

The bill from the House of Assembly entitled,

An act for the protection and relief of Mechanics and Laborers,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. Bramhall moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

Upon its final passage at this time,

The engrossed bill entitled,

An act to incorporate the Pennsgrove Pier Company.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Laird, Martin, Robertson, Somers, Smith, Stults, Swain—15.

NAYS—Mr. Alexander, (Pres.)—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly entitled,

A further supplement to the act entitled "An act to authorize the business of Banking," approved February twenty-seventh, eighteen hundred and fifty,

Which was postponed pending the consideration of the second section thereof,

Was taken up.

Mr. A. V. Bonnell moved that the vote by which the first section was agreed to be re-considered,

Which motion was agreed to, and the vote re-considered accordingly.

Mr. Laird moved that the vote by which the substitute offered by Mr. Roberts for the first section, was disagreed to.

Be re-considered.

Which motion was agreed to, and the vote re-considered.

Mr. Allen moved to substitute in the place of the first section, the section which was offered by Mr. Roberts and disagreed to by the Senate.

The ayes and nays being demanded and ordered upon the question of agreeing to said substitute, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Laird, Martin, Roberts, Stults, Swain—11.

NAYS—Alexander, (Pres), Bramhall, Depew, Robertson, Somers, Smith—6.

So said substitute for the first section was agreed to.

The second, third, fourth, fifth and sixth sections were then considered, amended and agreed to.

The seventh section thereof as follows—

7. *And be it enacted*, That no bank notes shall be issued by the treasurer to any banking association until the written certif-

icate of the bank commissioners, or two of th em, shall be first filed with the said treasurer, approving of the location of said bank,

Being under consideration,

Mr. Roberts moved to substitute a new section in place thereof as follows:

7. *And be it enacted*, That the said superintendent shall not disclose the names of the debtors of any bank or association examined by him, or any information obtained in the course of such examination, unless required in a court of justice, or in the course of some proceeding or performance of some duty authorized by this or some other act of the legislature of this state, unless he shall find it necessary so to do, in order to ascertain the real condition of the banking association under examination.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—11.

NAYS—Messrs. Alexander, (Pres) Depew, Robertson, Somers —4.

So said motion to substitute

Was agreed to.

The eighth section was then considered, amended and agreed to.

The ninth section thereof as follows—

9. *And be it enacted*, That it shall be the duty of the treasurer of this state, within ten days after the passage of this act, to endorse upon each of the certificates of stock now held by him as security for bank note circulation, and upon all certificates hereafter deposited with him, the words "This stock deposited by the bank, as security for bank notes under the general banking law of New Jersey," to

which he shall sign his official signature, and add the date of its receipt, and no transfer, assignment or redelivery of the said stock, or any part thereof, shall be valid unless the name of the secretary of state, approving of such transfer, shall be first endorsed thereon; and a failure to comply with the provisions of this section shall be held to be a misdemeanor in office, and on conviction thereof the said treasurer shall be punished by fine, not exceeding five hundred dollars, or by imprisonment not to exceed five years, or both, at the discretion of the court,

Being under consideration,

Mr. Roberts moved to substitute in place thereof a new section as follows—

9. *And be it enacted,* That if the said superintendent shall ascertain from such inspection and examination, or in any other manner, that any banking association is insolvent, or likely to become insolvent, as specified in the next preceding section, or if he shall have reason to believe that any such association is not carrying on the business of banking in a bona fide manner, and according to the true intent and meaning of the act entitled "An act to authorize the business of banking," approved February twenty-seventh, eighteen hundred and fifty, and of the supplements thereto, the said superintendent shall so report to the Chancellor, in writing, who shall proceed, on such complaint, as he is directed to do in the first section of the act entitled "A further supplement to the act entitled 'An act to authorize the qusiness of banking,'" approved February twenty seventh, eighteen hundred and fifty, which supplement was approved March twenty-sixth, eighteen hundred and fifty-two:

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. Allen, A. V. Bonnell, Chetwood, Franklin, Howell, Laird, Martin, Roberts, Stults, Swain—10.

Nays—Messrs. Alexander, (Pres.), Depew, Robertson, Somers, Smith—5.

So said substitute

Was agreed to.

The tenth section was then considered, amended and agreed to.

The eleventh section thereof as follows—

11. *And be it enacted*, That all expenses that may be incurred in carrying this act into operation, shall be paid by the several banks of this State, upon a pro rata assessment, which the treasurer is authorized to make and collect, as provided in the act to which this is a supplement.

Being under consideration,

Mr. Roberts moved to substitute in the place thereof a new section as follows—

11. *And be it enacted*, That the president and directors of said special banking corporations, shall be residents of this state, and shall be jointly and severally liable for the payment of all the bills or notes of said corporations, which may be in circulation at the time of its becoming insolvent, and may be jointly or severally prosecuted, at law or in equity, by the holder or holders of any such note or notes, as if the same were their own joint and several bills or notes, executed by them in their natural capacity; and it shall not be lawful for any director to resign his office to avoid said liability; and if any director shall attempt so to resign his office, with intent to avoid said liability, he shall be and continue liable, the same as if no such resignation had been attempted; and the liability of the directors of said corporation, for the payment of all bills or notes in circulation, shall continue after they cease to be directors, either by resignation or otherwise; *provided*, it shall appear that said corporation was insolvent, or unable to pay its circulation at any time during their continuance in office; and no suit at law or in equity, shall be commenced against any director or directors to recover the amount any such bills or notes, until after six months from the time said corporations shall become insolvent and suspend payment; and in case of any payment of any such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. Allen, A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—10.

Nays—Messrs. Alexander, (Pres.), Bramhall, Depew, Robertson, Somers—5.

So said substitute
Was agreed to.

The twelfth and only remaining section of said bill as follows—

12. AND BE IT ENACTED, That this act shall take effect immediately, and that all former acts or parts of acts, repugnant to or inconsistent with this act, be and the same are hereby repealed.

Being under consideration,

Mr. Roberts moved to substitute in place thereof a new section to be called section twelve, as follows—

12. *And be it enacted,* That the annual statements now required by law to be made out and forwarded by the several banks and banking associations to the treasurer of this state, shall hereafter be made out and forwarded to the bank superintendent, on the first day of January, in each and every year; and it shall be the duty of the said superintendent, as soon as possible thereafter, to lay every such statement, together with an abstract of the monthly statements hereinafter mentioned, before the legislature of this state.

Which motion to substitute was agreed to.

The same Senator moved to add a new section, to be called section thirteen, as follows—

13. *And be it enacted,* That it shall be the duty of all the banks in this state, in addition to the annual statement now required by the fifth section of the act entitled "An act to punish frauds committed on the incorporated banks of this state, and for the better regulation of said banks," approved April fifteenth, eighteen hundred and forty six, to make out and forward to the bank Superintendent, on the first Monday of May next, and the first Monday of each and every month thereafter, in each and every year, statements of its affairs and condition on said days, respectively, which statements shall contain the same matters, and be verified in the same manner and by the same officers, as the said annual statements.

Which motion was agreed to, and the section considered and agreed to.

The same Senator moved to add a new section, to be called section fourteen, as follows—

14. AND BE ENACTED, That if any bank or banking association shall neglect or refuse to make out and transmit any annual or monthly statement, as hereinbefore directed, for ten days beyond the time when the same ought to be made, such bank or banking association, so offending, shall forfeit and

pay to the use of the state, the sum of one thousand dollars, to be recovered by the bank superintendent, whose duty it shall be forthwith to sue for the same.

Which motion was agreed to, and the section considered and agreed to.

The same Senator moved to add a new section, to be called section fifteen, as follows—

15. AND BE IT ENACTED, That it shall be the duty of said bank, upon the first Monday of May next, and upon the first Monday of each and every year thereafter, to publish, in at least one newspaper published in the county where said bank is located, a statement, under oath, of the actual condition of said bank, containing, first, the gross amount of discounts at the date of such statement, particularly designating what portion thereof may be good, and what portion may be doubtful or bad; and also what amount of discounts is for the accommodation of parties not residents of this state; second, the average amount of specie for the preceding month, bona fide the property of said bank, held for the purpose of the redemption of circulation; third, the average amount of circulation for the preceding month, which shall include all bills or notes of said bank that have passed from out of said bank for any purpose or purposes whatever; fourth, the names of the president, cashier and directors of said bank at the time of such statement.

Which motion was agreed to, and the section considered and agreed to.

The same Senator then moved to add a new section, to be called section sixteen, as follows—

16. AND BE IT ENACTED, That it shall be the duty of the bank superintendent to file said annual and monthly statements in his office; and as soon as possible, and not later than fifteen days after the 1st of January, April, July and October, to publish a statement of the abstracts of the preceding three months, in tabular form, once in one daily newspaper published and printed at Trenton, and one at Newark, in this state.

Which motion was agreed to, and the section considered and agreed to.

The same Senator moved to add a new section, to be called section seventeen, as follows—

17. *And be it enacted*, That when a bank superintendent shall be appointed and qualified to enter upon the duties of his office, as herein before provided, it shall be the duty of the treasurer of this state, in the presence of the Governor and secretary of state, to transfer and deliver to the said bank superintendent, all the books,

papers, securities, stocks and other property, which have been deposited with him by the several banking associations heretofore organized, or which may have come into his hands or possession, under or by virtue of the provisions of the act entitled "An act to authorize the business of banking," or of the supplements thereto; and also all books, registers, papers and writings in his office, connected with or relating to the business of banking, or the duties heretofore performed by the treasurer, or by any person or persons employed by him, under or by virtue of the said act, and the supplements thereto, and the said treasurer and superintendent shall make out and sign two complete and perfect lists or inventories of the said books, papers, stocks, securities, and property, so transferred and delivered, one whereof shall be kept by the said treasurer, and the other filed in the office of the secretary of state.

Which motion was agreed to, and the section considered and agreed to.

The same Senator then moved to add a new section, to be called section eighteen, as follows—

18. AND BE IT ENACTED, That it shall be the duty of the said bank superintendent, within ten days from the time of receiving the securities, stocks and other property mentioned in the last preceding section, to indorse upon the back or face thereof, the following words, to wit: Deposited with the bank commissioner of the state of New Jersey, as security for the circulating notes of the bank of and not to be transferred, except for the purpose of redeeming the circulation of said bank, or returned to said bank, according to law; and no transfer thereof, to be held valid and legal, except under the signature of the Governor, the Attorney-General, and the Bank Superintendent of said state.

Which motion was agreed to, and the section considered and agreed to.

The same Senator moved to amend said bill by adding a new section to be called section nineteen, as follows—

19. AND BE IT ENACTED, That it shall be lawful for the said bank superintendent to use the vaults and safes, now in the treasurer's office, for the safe keeping of the books, papers, stocks and securities delivered to him as aforesaid, until provision is otherwise made by law therefor.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—10.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Robertson, Somers—6.

So said motion to substitute said section was agreed to.

The same Senator then moved to add a new section, to be called section twenty, as follows—

20. AND BE IT ENACTED, That it shall be lawful for the said superintendent, by and with the advice and consent of the Governor and Attorney-General, to appoint a clerk or register appointed by the treasurer, which clerk or register shall, before entering upon the duties of his office, enter into bond to the state of New Jersey, as directed by the first section of the act entitled, "An act to authorize the business of banking."

Which motion was agreed to, and the section considered and agreed to.

The same Senator moved to add a new section, to be called section twenty-one, as follows—

21. AND BE IT ENACTED, That the said bank superintendent shall receive the annual salary of twenty-five hundred dollars, to be paid quarterly; which salary, together with the expenses of publishing the bank statements, as hereinbefore provided, shall be assessed upon and paid by the several banks and banking associations in this state, in proportion to their respective capitals; which assessments shall be made out by the bank superintendent, and collected by the treasurer, at the same time and in the same manner as the tax now levied on said banks and associations.

Which motion was agreed to, and the section considered and agreed to.

The same Senator then moved to add a new section, to be called section twenty-two, as follows—

22. AND BE IT ENACTED, That the "Board of Bank Commissioners" be and the same is hereby abolished; PROVIDED, that the Governor, Secretary of State, and Attorney-General, or any two of them, shall have power at all times to examine the books and papers of the bank superintendent, together with the stocks and securities deposited in his office by the several banking associations of this state.

Which motion was agreed to, and said section considered and agreed to.

The same Senator then moved to add a new section, to be called section twenty-three, as follows—

23. AND BE IT ENACTED, That if any bank superintendent, appointed by

virtue of this act, shall waste, embezzle, destroy or apply to any unlawful or private use any money, stock or securities, deposited with him by any banking association, he shall be deemed guilty of felony, and, on conviction thereof, shall be punished by fine, not exceeding ten thousand dollars, and imprisonment at hard labor, for any term not exceeding ten years or less than five, and the office shall thereupon become vacant.

Which motion was agreed to, and said section considered and agreed to.

The same Senator moved to add a new section to be called section twenty-four, as follows—

24. AND BE IT ENACTED, That the bank superintendent shall keep a true and accurate account of all expenses incurred by him, for publication aforesaid, for the payment of which the banks and banking associations are made liable by this act; and before said expenses are assessed upon such banks and associations, the accounts shall be audited by the Secretary of State, in the same manner that the Treasurer's accounts are now audited.

Which motion was agreed to, and said section considered and agreed to.

The same Senator moved to add a new section to be called section twenty-five, as follows—

25. AND BE IT ENACTED, That all acts, and parts of acts, inconsistent with the provisions of this act, be and the same are hereby repealed.

Which motion was agreed to, and said section considered and agreed to.

The same Senator moved to add a new section, to be called section twenty-six, as follows—

26. AND BE IT ENACTED, That this act shall take effect immediately.

Which motion was agreed to, and said section considered and agreed to.

The title of said bill being under consideration,

Mr. Allen moved to amend by striking out the same, and inserting the following—'an act relative to the office of Bank Superintendent.'

Which amendment was agreed to.

Said bill having been read a second time, considered by sec-

tions, amended and agreed to, the title amended and agreed to, the amendments were ordered to be engrossed and the bill to have a third reading.

On motion of Mr. I. Bonnell,

The Senate then adjourned.

FRIDAY, March 9, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Van horn.

The journal of the previous day was read and approved.

Mr. Franklin, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act relative to the Red Bank and Woodbury Turnpike or Macadamized Road Company.

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations

The same Senator presented a petition from J. C. Smallwood,

President of the Red Bank and Woodbury Turnpike or Macamized Road Company, on behalf of the directors of said company, asking the passage of a supplement to the charter of said company, explanatory of the act of incorporation so far as it relates to the turnpike company.

Which was referred to the Committee on Corporations without reading.

Mr. Chetwood, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Elizabethport Land Improvement and Manufacturing Company.

Which was read a first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled

A supplement to an act approved April the sixteenth, eighteen hundred and forty-six, and entitled 'an act regulating proceedings and trials in criminal cases,'

Also,

The bill entitled,

Supplement to the act entitled 'an act to incorporate the Camden and Atlantic Railroad Company,' approved March nineteen, eighteen hundred and fifty two,

Also,

The bill entitled,

A further supplement to an act entitled, an act relative to the court of errors and appeals,' approved April sixteenth, eighteen hundred and forty-six,

And find the same to be severally correctly engrossed.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 2 1-2, entitled,

An act relative to the early records of the Supreme Court,

Also,

Senate bill No. 18, entitled

An act to increase the capital of the State Bank at Elizabeth,

DANIEL D. DEPEW,
Ch'm of said Committee.

March 8, 1855.

The engrossed bill entitled,

Supplement to the act entitled 'an act to incorporate the Comden and Atlantic Railroad Company,' approved March nineteen, eighteen hundred and fifty-two,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

Supplement to an act approved April the sixteenth, eighteen

hundred and forty-six, and entitled 'an act regulating proceedings and trials in criminal cases,'

Was taken up and read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Somers, Smith—12.

NAYS—Messrs. Alexander, (Pres.) Hoxsey, Robertson, Stults, Swain—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A supplement to the act approved April the sixteenth, eighteen hundred and forty-six, entitled 'an act constituting the court of oyer and terminer and general jail delivery;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Somers, Smith, Stults, Swain—15.

NAYS—Mr. Robertson—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A further supplement to the act entitled 'an act respecting the court of chancery,' approved April the sixteenth, one thousand eighteen hundred and forty-six,

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Robertson, Somers, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A further supplement to an act entitled 'an act relative to the court of errors and appeals,' approved April the sixteenth, eighteen hundred and forty-six,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird. Martin, Rea, Robertson, Somers, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled,

An act for the protection and relief of Mechanics and Laborers,

Was taken up and read a third time,

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows?

AYES—Messrs. A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Roberts, Robertson, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Chetwood, Rea, Somers, —4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled

An act to correct a mistake made by the Engrossing Clerk of the House of Assembly, in the year one thousand eight hundred and fifty-four;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Sen-

ate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled,

An act to change the name of Eliza Paterson, adopted daughter of P. B. and Esther G. M'Cullouch, of Florence, in the County of Monmouth, to Eliza Paterson M'Cullouch,

Was taken up and having been read a third time,

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.)A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—16.

NYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

The bill from the House of Assembly, entitled

An act to incorporate the Spruce Run Railroad Company,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) A.V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Frankin, Howell, Hoxsey, Laird, Martin, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary car-

ry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled

An act to authorize the Trustees of the Newark Academy to sell and convey certain real estate in the city of Newark,

Was taken up and read a third time, and the further consideration of the same postponed for the present.

Mr. Franklin moved that the vote by which

The bill entitled

Supplement to an act approved April the sixteenth, eighteen hundred and forty-six, and entitled 'an act regulating proceedings and trials in criminal cases,'

Was agreed to upon its final passage,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. Alexander, (Pres.) I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Stults—14.

Nays—Messrs. Allen, A. V. Bonnell, Bramhall, Swain—4.

So said motion was agreed to, and the vote re-considered accordingly.

On motion of Mr. Hoxsey, said bill was re-committed to the Committee on the Judiciary.

The bill entitled,

An act in relation to Justices of the Peace,

Which was postponed some days since, pending the consideration of the first section,

Was taken up, and

The first section thereof, as follows:

1. *Be it enacted by the Senate and General Assembly of the state of New Jersey*, That every justice of the peace now elected, or hereafter to be elected, in the townships in the counties of this State, or in the wards of any of the cities of this State, shall keep their office, and hold their courts in the several townships and wards in which they are elected.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out, in the third and fourth lines, the words "or in the wards of any of the cities of this State," and also by striking out, in the last line, the words "and wards."

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Depew, Franklin, Howell, Hoxsey, Rea, Robertson, Somers—7.

NAYS—Messrs. A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Laird, Martin, Stults, Swain—9.

So said motion to amend was not agreed to.

Said section was then agreed to.

The second section of said bill as follows:

2. *And be it enacted*, That this act take effect the first day of May, eighteen hundred and fifty-five.

Being under consideration,

Mr. Hoxsey moved that the further consideration of said bill be indefinitely postponed.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Bramhall, Depew, Franklin, Howell, Hoxsey, Laird, Rea, Robertson, Somers, Swain—13.

NAYS—Messrs. A. V. Bonnell, Chetwood, Cowperthwaite, Martin, Roberts, Stults—6.

So said motion was agreed to, and the bill postponed accordingly.

Mr. Depew offered the following resolution:

Resolved, That when the Senate adjourns, it adjourn to meet on Monday next, at three o'clock, P. M.

Which being read, and

The ayes and nays demanded and ordered upon the question of agreeing to the same were as follows:

AYES—Messrs. A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers—13.

NAYS—Messrs. Alexander, (Pres.) Allen, Cowperthwaite, Howell, Stults, Swain—6.

So said resolution was agreed to.

Mr. A. V. Bonnell moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to repeal the act entitled 'an act to authorize the business of Banking.'

Which was read for the first time by its title, and ordered to have a second reading.

Mr, A. V. Bonnell moved that said bill be referred to a special committee.

Which motion was agreed to.

The President appointed Messrs. A. V. Bonnell, Smith and Bramhall, said committee.

The bill entitled,

An act to create the County of Union,

Was taken up; and having been previously read a second time, considered by sections, and agreed to, was ordered to be engrossed, and have a third reading.

The bill from the House of Assembly entitled

An act to incorporate the Hudson and Hackensack Tunnel and Through Cut Company,

Was taken up, read a second time, considered by sections, amended and agreed to, the amendments ordered to be engrossed and the bill to have a third reading.

The bill from the House of Assembly entitled

An act ceding to the United States of America, jurisdiction over certain land and its appurtenances, situate in the City of Newark, and for other purposes therein mentioned,

Was taken up, read a second time, considered and agreed to and ordered to have a third reading.

Mr. Bramhall moved that the vote by which

The bill from the House of Assembly entitled,

A Supplement to the "Act relative to Commissioners for taking the Acknowledgment and Proof of Deeds," approved April fifteenth, eighteen hundred and forty-six,

Was postponed to the next session of the Legislature,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, Bramhall, Roberts, Smith—4.

NAYS—Messrs. Alexander, (Pres.), A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Swain—9.

So said motion was not agreed to.

Mr. Somers moved that the vote by which

The bill from the House of Assembly, entitled

An act to incorporate the New Brunswick Sacred Music Society,

Was disagreed to yesterday upon its final passage,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, I. Bonnell, Bramhall, Chetwood, Martin, Roberts, Somers, Smith, Stults—9.

NAYS—Messrs. Alexander, (Pres), A. V. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Robertson, Swain—9.

So said motion to re-consider said vote was not agreed to.

The bill entitled,

A further supplement to the act entitled "An act against Usury," approved April tenth, eighteen hundred and forty-six,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

On motion of Mr. Howell,

The Senate then adjourned.

Monday, March 12, 1855.

At three o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of Friday was read and approved.

A message was received from His Excellency, the Governor by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, March 9, 1855.

Hon. Wm. C. Alexander,
President of the Senate,

SIR—I have this day signed and approved the following bill, which originated in your House:

An act to increase the capital of the State Bank at Elizabeth.

RODMAN M. PRICE.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 12, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

An act to extend the provisions of the act entitled "An act to prevent horses, cattle, sheep and swine from running at large in the townships of Hackensack and Harrington, in the county of Bergen," approved February twelfth, eighteen hundred and fifty-two, to certain townships in the counties of Essex, Middlesex, Hudson and Bergen.

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has concurred in the amendments made by the Senate to

The bill entitled,

An act to establish the city of Elizabeth,

And has caused said bill to be re-engrossed, the amendments embodied therein, and has passed the same.

Also,

That the House of Assembly has passed the bill from the Senate,

Entitled,

An act to incorporate the Pennsgrove Pier Company.

Also,

The bill from the Senate, entitled

An act to change the name of "The Union Presbyterian Church of Georgetown and Lambertville," in the county of Hunterdon.

Without amendment.

P. D. VROOM, Clerk.

The bill entitled,

An act to change the name of "The Union Presbyterian Church of Georgetown and Lambertville," in the county of Hunterdon.

Also,

The bill entitled,

An act to incorporate the Pennsgrove Pier Company,

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

Mr. Allen moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A supplement to the act entitled "An act to incorporate the Camden and Atlantic Land Company, approved March tenth, eighteen hundred and fifty-three,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Hoxsey moved that

The bill from the House of Assembly entitled,

A further supplement to the act entitled 'An act to authorize the business of Banking, approved February twenty-seventh, eighteen hundred and fifty,

And the amendments made to the same by the Senate,

Be re-committed to the Committee on Finance.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Alexander, (Pres.) Depew, Hoxsey, Robertson, Somers—5.

NAYS—Allen, I. Bonnell, Franklin, Howell, Stults, Swain—6.

So said motion was not agreed to.

Mr. I. Bonnell moved that the Senate do now go into executive session.

Which motion was agreed to.

After some time spent therein, the Senate again came to order.

Mr. Hoxsey moved a suspension of so much of the twenty third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to regulate the mode of docketing judgments of the courts of Common Pleas in the Supreme Court.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

A further supplement to the act entitled 'an act to regulate

Elections" passed March twelfth, eighteen hundred and thirty-nine,

Also,

The bill entitled,

A supplement to the act entitled "an act to enable the owners of the tide-swamp and marshes to improve the same, and the owners of meadow already banked in and held by different persons, to keep the same in good repair," passed the twenty-ninth of November, seventeen hundred and eighty-eight,

Also,

The bill entitled,

An act for the relief of stockholders holding stock in the incorporated companies of this state.

And find the same to be severally correctly engrossed.

Mr. Hoxsey, from the committee on the Judiciary, to which was referred

The bill from the House of Assembly entitled,

A supplement to the act entitled "An act for incorporating Trustees of the New Jersey Baptist Association," passed November twenty-fifth, one thousand eight hundred and twenty-two,

Reported the same
Without amendment.

The same Senator, from the same Committee, to which was referred

The bill entitled,

Supplement to the act respecting Roads,

Reported the same,
With amendments.

The bill from the House of Assembly entitled,

An act to extend the provisions of the act entitled 'an act to

prevent horses, cattle, sheep and swine from running at large in the townships of Hackensack and Harrington, in the county of Bergen,' approved February twelfth, eighteen hundred and fifty two, to certain townships in the counties of Essex, Middlesex, Hudson and Bergen,

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on Miscellaneous Business.

Mr. I. Bonnell moved that the vote by which the Senate refused to re-commit to the Committee on Finance

The bill from the House of Assembly entitled,

A further supplement to the act entitled "An act to authorize the business of Banking," approved February twenty-seventh, eighteen hundred and fifty,

And the amendments made thereto in the Senate,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Hoxsey, Robertson, Somers—6.

NAYS—Messrs. Allen, Franklin, Howell, Stults, Swain—5.

So said motion was agreed to, and the vote re-considered accordingly.

Mr. Hoxsey moved that said bill be re-committed to the Committee on Finance.

Mr. Allen moved to lay said motion on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

AYES—Messrs. Allen, Franklin, Howell, Stults, Swain—5.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Hoxsey, Robertson, Somers—6.

So said motion was not agreed to.

There being no quorum present,

On motion of Mr. Hoxsey, the Sergeant-at-Arms was dispatched for the absentees.

Mr. Allen moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, Franklin, Howell, Swain—4.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Hoxsey, Robertson, Somers—6.

So said motion was not agreed to.

The Sergeant-at-Arms reported that no absent Senators could be found.

Mr. Allen moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Franklin, Howell, Robertson, Swain—7.

NAYS—Messrs. Depew, Hoxsey, Somers—3.

So said motion was agreed to, and

Thereupon the Senate adjourned.

TUESDAY, March 13, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Starr.

The journal of the previous day was read and approved.

Mr. Depew, from the Committee on Miscellaneous Business, to which was referred

The bill from the House of Assembly entitled

An act to extend the provisions of the act entitled "An act to prevent horses, cattle, sheep and swine from running at large in the townships of Hackensack and Harrington, in the county of Bergen," approved February twelfth, eighteen hundred and fifty-two, to certain townships in the counties of Essex, Middlesex, Hudson and Bergen,

Reported the same
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The amendments made in the Senate to

The bill from the House of Assembly entitled,

A further supplement to the act entitled 'An act to authorize the business of Banking, approved February twenty-seventh, eighteen hundred and fifty,

Also,

The bill entitled,

An act for the relief of Sarah Hyer, widow of William Hyer, deceased,

Also,

The bill entitled,

An act to incorporate the Bay City Company,

Also,

The bill entitled,

An act to incorporate the Peapack and Plainfield Railroad Company;

Also,

The bill entitled,

A further supplement to the act entitled "An act to incorporate the City of Paterson," approved March nineteenth, eighteen hundred and fifty-one:

Also,

The bill entitled,

A further supplement to the act entitled "An act against Usury," approved April tenth, eighteen hundred and forty-six;

And find the same to be severally correctly engrossed.

The engrossed bill entitled,

An act to incorporate the Peapack and Plainfield Railroad Company,

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

Ordered, That the President sign said bill, the Secretary car-

ry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A supplement to the act entitled "an act to enable the owners of the tide-swamp and marshes to improve the same, and the owners of meadow already banked in and held by different persons, to keep the same in good repair," passed the twenty-ninth of November, seventeen hundred and eighty-eight,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Roberts, Robertson, Smith, Stults, Swain —17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act for the relief of Sarah Hyer, widow of William Hyer deceased,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative as follows:

AYES—Messrs. Allen, I. Bonnell, Bramhall, Chetwood, Franklin, Howell, Martin, Rea, Somers, Stults—10.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, Cowperthwaite, Depew, Roberts, Robertson, Smith, Swain—8.

The engrossed bill entitled,

A further supplement to the act entitled "An act against Usury," approved April tenth, eighteen hundred and forty-six,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

Ordered, That the President sign said blil, the Secretary carry it to the House of Assembly, and inform them that the President has passed said bill, and request their concurrence.

The re-engrossed bill entitled,

A further supplement to the act entitled 'an act to incorporate the city of Paterson,' approved March nineteenth, eighteen hundred and forty-one,

Was taken up and read a third time,

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows?

AYES—Messrs. Alexander, (Pres), Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NYS—None.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in

the amendments made thereto in the House of Assembly, and has ordered said bill to be re-engrossed, and has passed the same.

The bill from the House of Assembly entitled,

An act to incorporate the Hope Hose Company, of the city of Burlington;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled

An act to incorporate the West Jersey and Philadelphia Pressed Brick Company;

Was taken up, read a third time, and

On motion of Mr. Allen, the further consideration of the same postponed for the present.

The bill from the House of Assembly entitled

An act ceding to the United States of America, jurisdiction over certain land and its appurtenances, situate in the City of Newark, and for other purposes therein mentioned,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass ?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled,

An act to change the names of Charles Duch and Maria Duch, his wife, of Hoboken, in the county of Hudson,

Was taken up and read a third time,

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Howell, Martin, Rea, Roberts, Robertson, Somers. Smith, Swain—13.

Nays—Messrs. Alexander, (Pres.), A. V. Bonnell, Stults—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled

A Further Supplement to the act entitled "an act against Usury," approved April tenth, eighteen hundred and forty-six.

Was taken up, read a second time, and

On motion of Mr. Depew, the further consideration of the same was postponed for the present.

Mr. Hoxsey moved that the vote by which

The bill from the House of Assembly, entitled,

An act to authorize the Trustees of the Newark Academy to sell and convey certain real estate in the city of Newark,

Was ordered to have a third reading,

Be re-considered.

Which motion was agreed to, the vote re-considered, and the bill ordered to stand upon its second reading.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The Joint R esolutions entitled

Joint resolutions in relation to the harbor of New York;

Also,

The Joint resolutions entitled,

Joint resolutions in relation to encroachments made in the harbor of New York,

And find the same to be severally correctly engrossed.

The engrossed joint resolutions entitled,

Joint resolutions in relation to the harbor of New York,

Were taken up and read a third time.

Upon the question,

Shall these engrossed joint resolutions pass ?

It was decided in the affirmative as follows :

Ayes—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin,

Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said joint resolutions, the Secretary carry them to the House of Assembly, and inform them that the Senate has passed said joint resolutions, and request their concurrence.

The engrossed joint resolutions entitled,

Joint resolutions relative to encroachments made in the harbor of New York,

Were taken up and read a third time.

Upon the question,

Shall these engrossed joint resolutions pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said joint resolutions, the Secretary carry them to the House of Assembly, and inform them that the Senate has passed said joint resolutions, and request their concurrence.

Mr. Chetwood, from the Committee on Corporations, to which was referred

The bill entitled,

An act relative to the Red Bank and Woodbury Turnpike or Macadamized Road Company.

Also,

The bill entitled,

An act to incorporate the Elizabethport Land Improvement and Manufacturing Company;

Also,

The bill entitled,

Supplement to the act entitled 'an act to incorporate the Camden and Atlantic Land Company,' approved March tenth, eighteen hundred and fifty three,

Reported the same, severally,
Without amendment.

The bill entitled,

A supplement to the act entitled 'an act to regulate the State Library,' approved April the tenth, eighteen hundred and forty-six.

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

The engrossed bill entitled,

An act for the relief of stockholders holding stock in the incorporated companies of this State,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Bramhall, Howell, Hoxsey, Rea, Robertson, Somers, Smith—7.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Martin, Roberts, Stults, Swain—12.

The bill entitled,

A supplement to the act entitled 'an act to incorporate the

Camden and Atlantic Land Company,' approved March tenth, eighteen hundred and fifty-three,

Was taken up, read a second time, and the first section considered and agreed to.

The second section thereof, as follows:

2. *And be it enacted*, That this act shall take effect immediately after the same shall be accepted by the Board of Directors of the said Land Company; and such acceptance shall be certified, under the seal of said company, and filed in the office of the Secretary of State.

Being under consideration,

Mr. Hoxsey moved to strike out said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Hoxsey, Rea, Robertson, Somers—7.

NAYS—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Stults, Swain—11.

So said motion was not agreed to.

Said section was then agreed to; and the bill having been read a second time, considered by sections, and agreed to, was ordered to be engrossed, and have a third reading.

The bill from the House of Assembly, entitled

An act to authorize 'The Trustees of the Newark Academy' to sell and convey certain real estate in the city of Newark,

Was taken up, and having been previously read a second time, considered by sections, and agreed to,

Mr. Hoxsey moved that the vote by which the preamble was agreed to

Be re-considered.

Which motion was agreed to, the vote re-considered.

The preamble to said bill was then amended and agreed to.

The same Senator moved that the vote by which the third section of said bill was agreed to

Be re-considered.

Which motion was agreed to, and the vote re-considered.

Said section was then amended and agreed to, and the amendments ordered to be engrossed, and the bill to have a third reading.

The bill from the House of Assembly, entitled

A further supplement to an act to authorize the inhabitants of the township of Bloomfield, in the county of Essex, to raise money for the support of free schools, approved March first, eighteen hundred and forty-nine,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to extend the provisions of the act entitled 'An act to prevent horses, cattle, sheep and swine from running at large in the townships of Hackensack and Harrington, in the county of Bergen,' approved February twelfth, eighteen hundred and fifty-two, to certain townships in the counties of Essex, Middlesex, Hudson and Bergen,

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to have a third reading.

Mr. Franklin moved that the vote by which

The bill entitled,

An act for the relief of stockholders holding stock in incorporated companies of this State,

Was disagreed to upon its final passage,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Robertson, Somers, Smith—12.

NAYS—Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Stults, Swain—6.

So said motion was agreed to, the vote re-considered, and said bill ordered to stand upon its second reading.

On motion of Mr. I. Bonnell,

The Senate then adjourned.

At three o'clock the Senate met.

Mr. Chetwood moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to extend the time for completing the New York, Elizabethtown and Morristown Railroad.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Martin moved that the further consideration of

The bill entitled,

A further supplement to an act entitled "an act concerning Roads,' approved April sixteenth, eighteen hundred and forty-six,

Be postponed to the next session of the Legislature.

Which motion was agreed to, and said bill postponed accordingly.

The bill entitled,

A further supplement to the act entitled "An act to incorporate the City of Paterson," approved March nineteenth, eighteen hundred and forty-one:

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 13, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bills severally entitled,

A supplement to an act entitled 'An act to incorporate the Bridgeton and Milville Turnpike Company,' approved February seventh, eighteen hundred and fifty-four;

An act to incorporate the Mount Holly and Tuckerton Railroad Company;

An act to incorporate the Columbus and Wrightstown Turnpike Company;

An act to improve the navigation of North and South Shrewsbury Rivers, in the county of Monmouth;

And

An act to set off from the townships of Northampton, Southampton and Medford, in the county of Burlington, a new township, to be called the township of Lumberton;

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has concurred in the amendments made by the Senate to

The bills severally entitled,

An act supplement to an act to establish a uniform standard of weights and measures in this State, approved April seventeenth, eighteen hundred and forty-six;

An act to incorporate the Mount Holly and Pemberton South Turnpike Company;

An act to change the time of holding the town meetings in the township of Hamilton, in the county of Mercer;

And also, the amendments made by the Senate to the

Joint resolution, entitled

A Joint Resolution for the appointment of Commissioners to revise the School Laws of this State, and to extend and codify the same,

And has caused said bills and joint resolutions to be re-engrossed, and the amendments to be embodied therein, and has passed the same.

Also,

That the House of Assembly has passed

The bill from the Senate, entitled

An act to incorporate the Lambertville Water Company;

Also,

The bill from the Senate, entitled

A supplement to the act entitled 'An act for the relief of the State of New Jersey, in relation to the estate of John G. Leake, deceased, passed the fifteenth day of March, in the year of our Lord, one thousand eight hundred and thirty-seven,

Without amendment.

P. D. VROOM, Clerk.

The bill entitled,

An act to incorporate the Lambertville Water Company;

Also,

The bill entitled,

A supplement to the act entitled 'An act for the relief of the State of New Jersey, in relation to the estate of John G. Leake, deceased, passed the fifteenth day of March, in the year of our Lord, one thousand eight hundred and thirty-seven;

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The bill from the House of Assembly entitled,

An act to incorporate the city of Hoboken,

Was taken up, read a second time, considered by sections, amended and agreed to, the amendments ordered to be engrossed and the bill to have a third reading.

The bill from the House of Assembly entitled,

A supplement to an act entitled 'An act to incorporate the Bridgeton and Milville Turnpike Company,' approved February seventh, eighteen hundred and fifty-four,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled,

An act to incorporate the Mount Holly and Tuckerton Railroad Company,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

An act to incorporate the Columbus and Wrightstown Turnpike Company,

Was taken up, read for the first time by its title, and ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

An act to improve the navigation of North and South Shrewsbury Rivers, in the county of Monmouth,

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly, entitled,

An act to set off from the townships of Northampton, South-

ampton and Medford, in the county of Burlington, a new township, to be called the township of Lumberton,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Chetwood, from the Committee on Corporations, to which was referred

The bill entitled,

An act to extend the time for completing the New York, Elizabethtown and Morristown Railroad,

Reported the same,
Without amendment.

Mr. Hoxsey moved that the vote by which

The bill entitled,

An act for the relief of stockholders holding stock in the incorporated companies of this State,

Was ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered.

The same Senator then moved that the vote by which the first section thereof was agreed to,

Be re-considered, in order to amend the same.

Which motion was agreed to, and the vote re-considered.

Said section was then amended and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill from the House of Assembly entitled,

An act to incorporate the Burlington and Willingboro' Turnpike Company,

Was taken up, read a second time, and

On motion of Mr. Allen, the further consideration of the same postponed for the present.

On motion of Mr. Bramhall, the vote by which

An act to extend the provisions of the act entitled "An act to prevent horses, cattle, sheep and swine from running at large in the townships of Hackensack and Harrington, in the county of Bergen," approved February twelfth, eighteen hundred and fifty-two, to certain townships in the counties of Essex, Middlesex, Hudson and Bergen,

Was ordered to have a third reading,

Be re-considered.

Which motion was agreed to, the vote re-considered, and the bill ordered to stand upon its second reading.

The bill from the House of Assembly, entitled

An act to incorporate the Union Blues of Newark,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

On motion of Mr. Stults,

The Senate then adjourned.

WEDNESDAY, March 14, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Starr.

The journal of the previous day was read and approved.

Mr. I. Bonnell presented a petition from Martha Rose, of the county of Sussex, praying the passage of a law authorizing the fulfillment of a contract for the conveyance of certain lands, made and entered into by the husband of said petitioner in his life-time with one William Sickles,

Which was read, and referred to the Committee on the Judiciary.

Mr. Chetwood presented the proceedings and resolutions of a public meeting of the citizens of Newark, in favor of the passage of the law authorizing the building of the Bridge over the Passaic River by the Plank Road Company,

Which was ordered to lie on the table without reading.

Mr. Franklin presented a remonstrance from sundry inhabitants of the Counties of Camden and Gloucester against the passage of the law to extend the charter of the Westville and Almonesson Turnpike Company,

Which was ordered to lie on the table without reading.

Mr. A. V. Bonnell, from the Special Committee, to which was referred

The bill entitled,

An act to repeal the act entitled 'an act to authorize the business of Banking,'

Reported the same,
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The amendments made in the Senate to

The bill from the House of Assembly, entitled

A supplement to the act entitled "an act for the punishment of Crimes;"

Also,

The amendments made in the Senate to

The bill from the House of Assembly, entitled

An act to incorporate the Hudson and Hackensack Tunnel and Through Cut Company,

Also,

The bill entitled

An act to change the name of the First Presbyetrian Church of South Trenton to Second Presbyterian Church of Trenton,

And find the same to be severally correctly engrossed.

Mr. Chetwood presented a petition from Edward Doughty and others, dock owners in the city of Newark, in favor of the Newark Plank Road Bridge across the river Passaic.

Which was read and ordered to lie on the table.

The same Senator, from the Committee on Corporations, to which was referred

The bill from the House of Assembly, entitled

An act to incorporate the Columbus and Wrightstown Turnpike Company;

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Mount Holly and Tuckerton Rail road Company;

Also,

The bill from the House of Assembly entitled

Supplement to an act entitled 'an act to incorporate the Bridgeton and Millville Turnpike Company,' approved February seventh, eighteen hundred and fifty-four;

Reported the same, severally
Without amendment.

Mr. Hoxsey, from the committee on the Judiciary, to which was referred

The bill entitled,

An act to regulate the mode of docketing judgments of the courts of Common Pleas in the Supreme Court.

Also,

The bill from the House of Assembly, entitled

An act to improve the navigation of North and South Shrewsbury rivers, in the county of Monmouth;

Also,

The bill from the House of Assembly entitled,

A supplement to an act entitled 'an act incorporating Homestead and Building Companies,' approved February twenty-fifth, one thousand eight hundred and fifty-two,

Reported the same severally
Without amendment.

The same Senator, from the Committee on the Judiciary, to which was referred

The bill from the House of Assembly entitled,

An act to empower Mary Morris, administratrix of John B. Morris, deceased, to execute a deed.

Reported as follows:

The Committee of the Judiciary, to which was referred Assembly bill No. 142, entitled 'An act to empower Mary Morris, administratrix of John B. Morris, deceased, to execute a deed,'

Mr. Smith from the Special Committee appointed to investigate the charges of an attempt to bribe a Senator, &c., presented the following report, with the testimony accompanying the same:

REPORT OF THE SPECIAL COMMITTEE IN REFERENCE TO ALLEGED ATTEMPTS AT BRIBERY, &C.

To the Senate:

The Special Committee to which was referred certain charges based upon alleged attempts to control the votes of Senators in reference to the bill entitled "A supplement to the act to incorporate the Newark Plank Road and Ferry Company,"

Report,

That they diligently examined all the persons brought before them, but from the conflicting character of the testimony have not arrived at any certain conclusions.

They therefore place at the disposal of the Senate the voluminous evidence adduced, and desire that the same be read.

Your Committee respectfully ask leave to be discharged from the further consideration of the subject.

CHARLES P. SMITH,
THOS. D. HOXSEY,
G. R. CHETWOOD.

TESTIMONY.

Further meeting of the Committee held March 8th, 1855, all the Committee present:

You do solemnly swear that you will true answer make to such questions as may be asked you touching certain alleged attempts to improperly corrupt the Legislature, by attempting to control and bribe the vote of any member of the Senate upon a bill pending before the Senate, entitled "A supplement to an act to incorporate the Newark Plank Road and Ferry Company;" and also, whether any attempts have been made by any person or persons to improperly control the vote of any Senator in favor of any one or more of the banks sought to be incorporated or re-incorporated.

REPORT, That your committee (FIRST) have great doubt of the expediency of granting the power asked to be conferred. The committee have not had placed in their hands the contract alleged to have been made between John B. Morris, deceased, and William Baker, relative to the sale of the land sought to be conveyed; they are consequently without any evidence whatever that such contract has been made sufficient in law or justice to pass real estate.

SECOND. By this bill it is proposed to make the proceeds of the sale of the real estate personal property in the hands of the administratrix, to be divided and disposed of as personal property; in which case the administratrix would receive, in her own right, one-third of the proceeds thereof; whereas, if it be treated as real estate, she is entitled to but the rents, issues and profits thereof during the term of her natural life. And as your committee have carefully examined the act concerning contracts of real estate by testators in their life-time, can find therein no guide as to whether the proceeds of a sale made under the circumstances shall be regarded as real or personal estate in the hands of the administratrix. They suppose that it was intended that the courts should, perhaps, exercise discretionary power in such cases, based upon the legal proofs in the case.

But your committee find to their minds an insurmountable constitutional objection to granting to the said Mary Morris the power asked for under this bill, as there are minor children whose interest in the land is to be disposed of. Section vii., article 7, of the Constitution, reads as follows:

"No private or special law shall be passed, authorizing the sale of any lands belonging, in the whole or in part, to a minor or minors, or other persons, who may at the time be under legal disability to act for themselves."

Now, certainly, if Mary Morris sells the land in question, she will sell by a private or special act of the Legislature authorizing her so to do. She has no authority under the contract to sell this land. She must do it either by authority of the Legislature or the courts, and she certainly cannot obtain the power from the Legislature for this purpose, in contravention of the explicit provisions of the section of the Constitution above quoted.

Your committee would call attention to the requirements for a good contract for the sale of lands, made previous to the death of the contractors, Revised Laws, page 638, which require a contract for this purpose to be properly attested by two or more witnesses; and also, that notice should be given of the intention of the party seeking the benefit of the contract to all parties interested; and also, that the courts should not authorize the making of a deed until the third term of the court after the application.

The committee do not think that the value of the property in question is very great; but this matters not; the passing of this act would stand as a precedent for future legislation, and cases might occur where the rankest injustice and wrong would be accomplished under similar acts.

In the opinion of your committee, the Legislature have no power to pass the act.

THOMAS D. HOXSEY,
Chairman of Committee.

Which report was read and accepted.

Mr. Stults, you will please state what has occurred in relation to this matter.

'The first thing said was in reference to Mr. Sayre. I mean this, that we were bored here day and night; and Mr. Marcellus being in the room, we got to talking about some corn. He wanted to buy some corn. I told Marcellus if he would give me one dollar a bushel, he might have it. He thought it was worth 95 cents. That is the way the corn question came up. Hutchinson said, they keep boreing here about the Bridge. Tell them if they will give you a dollar a bushel for the corn, let them have it, and you will vote for the Bridge. Next morning, Mr. James R. Sayre, jr., of Newark, came to my room, and Hutchinson began to laugh and joke, and I too. I am not right sure whether it was me or Hutchinson, but I think myself, as near as I can recollect. We had been talking, that if he would give me a dollar a bushel for what corn I had to sell, I would vote against the Bridge. This was in the presence of Sayre. We were talking together and joking. Mr. Sayre replied, that he thought he could do that, and he told me that he had a brick establishment at Washington, Middlesex County, on the Raritan River. He (Sayre) said he had this establishment, and it would suit him very well. I told him that I had wood too. He said he would buy that; he said then he would buy my wood and corn too. He asked me what price for the wood. I told him we were getting $5 per cord. He told me he thought he could buy all that I had, and he would come and see it. That is about all that I said. The conversation occurred in this room. I mean that I thought the whole conversation was a joke on either side, and think so now.'

Question. Did you ever have further conversation with Mr. Sayre?

Answer. I have spoken to him three or four times at the State House, in the lobby. Cannot tell the time, but think not the day the vote was taken. I think I saw Sayre two, three, or four days before the vote was taken.

On meeting Mr. Sayre, two, three, or four days before the vote, Mr. Sayre said he could stand by that offer; this was two or three times, and it was in the lobby. The last that he said was the day of the final vote—he said he would do it, in a joking way. That was said the last day by the rail, but I

cannot say what it was he said. I considered it all a joke, but the last time he seemed to be more in earnest. I was in my seat that day.

Q. Did Mr. Sayre come to your seat by the rail?

A. Yes, he came by the rail.

Q. How did you know Mr. Sayre was there?

A. I saw him stand there, and he made a motion, or beckoned to me.

Q. Any other conversation occur between you and Mr. Sayre?

A. I say no; I think I made no reply at all; and this ends all matters that occurred between Mr. Sayre and me.

Q. Prior to the conversation with Marcellus about the corn referred to in your direct examination, had you had any conversation with him in reference to the Plank Road Bridge?

A. Not till this matter came out in the paper. The conversation between Marcellus and me occurred in this room. There was nothing said in allusion to the Plank Road at that time.

Q. Regarding this matter between yourself and Mr. Sayre as a joke, how was it that you drew up and signed the statement heretofore handed to the Committee, and read in the Senate?

A. I saw a statement in the Mercury. I set down, and thought I would have it all taken down that came to my memory, while it was fresh in my mind.

Q. Was not the statement prepared before you saw the article in the Mercury?

A. No, sir.

Q. By whom was the statement prepared and written?

A. It was prepared and written by myself and another gentleman.

Q. Who was that other gentleman?

A. It was John P. Jackson.

Q. Did you ever write any other statement relating to this matter?

A. I did not, or think not.

Q. Did you furnish any person or persons other than the members of this committee with a copy of the written statement signed by yourself?

A. I did not furnish any other statement.

Q. Did Mr. Jackson at that time, or any other time, with your permission take a copy of that statement for his own purposes?

A. He had no copy—he took the original by my request.

Q. For what purpose?

A. For the purpose of this—I for my part wished no proceedings with it, and said if it came to an investigation I would have it all down in black and white.

Q. Was that paper delivered to Mr. Jackson for the purpose of handing it to this committee?

A. It could not be, for at that time there was no committee.

Q. By whom was it given to the committee?

A. It was given to the chairman of the committee by Mr. Jackson. I was with him about 11 o'clock the night before the first report of the committee, and after the first meeting of the committee.

Q. Did you call upon Mr. Jackson to go the committee, or did he call upon you?

I called upon him.

Q. How did it happen that Mr. Jackson came to draw up the statement for you?

A. He came in and got to talking, and said what does this mean in the Mercury? I said this is got up, and I suppose will be investigated. I think I added I hope not though. He thought it likely it would, and I told him that I thought the better way now would be to draw up a statement of facts, and have it laid by, and if it was, it would be there and speak for itself.

Q. Was this statement prepared the same day the article appeared in the Mercury?

A. It was prepared the same day that I first heard of the article in the Mercury. Mr. Jackson had the Mercury in his pocket.

Q. Did you state to Mr. Jackson that you viewed the whole matter as a joke between you and Sayre?

A. I think I did.

Q. Did you not afterwards say to Mr. Sayre himself that you considered the matter a joke?

A. I did so say to him.

Q. Can you tell the time of the first conversation between you and Mr. Sayre?

A. Three or four days before the vote was taken—I think in the morning—cannot be positive.

Q. Was any one present at that time?

A. Hutchinson and myself were present.

Q. Can you not recollect if it was at night?

A. I cannot recollect.

Q. Was the paper drawn on matters of fact or impressions?

A. I think they are facts, but cannot recollect all.

Thursday Morning, March 8, 1855.

Continuation of the examination of R. C. Stults.

Mr. Stults says that upon the day of the final action in the Senate on the Plank Road bill, in the Rotunda of the Capitol he met Mr. Joel Condit—he told me he would like to speak to me a few moments. We went round to the stairs, and went up stairs to the Attorney General's room, and went in the room. Mr. Condit said he would like to know what he could do.—Now says he, I have got one thing to say to you. This bridge is my bread and butter, or life or death to me, and I am well persuaded your vote will be the casting vote on that question. He says, What can I do for you to secure your vote? Why, says I, what do you mean? Then he replied, if by underwriting a check of five hundred dollars, if that would do. I told him no. He says, or more. I told him no; I could not be bought at all. Just then we heard some one coming, and locked the door, and the gentleman found the door fast. A bill was put under the door, I suppose. I then says that I must go. He said, hold on. I told him it was time I went; I had made up my mind to vote for the bill. He then says, Would it not be better to take this, with what Mr. Sayre will do? I answered no. He remarked, for God's sake, let this remain between us. That is about all. We were there but a very few moments.

Q. Was there not at that time great excitement in regard to your vote by both parties?

A. I cannot say the excitement was great—there was some feeling on both sides.

Q. Was there not a supper given by the New Jersey Railroad Company, the night before the passage (or a night or two before) of that bill—and were you not present at that supper?

A. I do not think it was given by the Railroad Company at all—they just had a few there, and quite few too.

Mr. Gaddis asked if I was fond of terrapin. I told him I had never eat them—I told him I would try how it would taste.

Q. When you say they had a few there, who do you mean?

A. I mean a few individuals—I should think a dozen.

Q. Who invited you to go there?

A. Mr. Gaddis invited me.

Q. Is Mr. Gaddis Superintendent of the New Jersey Rail-road Company?

A. I am informed and believe he is. John P. Jackson was present at that supper—I suppose it was the night before the passage of the bill.

Q. Did you have Champagne with the terrapin?

A. It was either Champagne or Newark cider.

Q. Had you, previous to that time, given to Messrs. Condit, Sayres, and others, assurances that you would vote against the bill authorizing the Plank Road Bridge?

A. I had not given assurances.

Q. Had you not told them that you would vote against it?

A. *No, sir!* I had told them, at one time, that as my feelings were, I would vote against the Bridge—I told them that unless something was brought to change my feelings, I would vote against the Bridge.

Q. You have spoken of Mr. Condit having said he would underwrite a check. Now, can you say that he meant anything more than that he would thereby guarantee and make good the contract for wood and corn between you and Mr. Sayre?

A. I cannot tell what he meant.

Q. Did not you at one time inquire from Mr. Condit the standing and character of Mr. Sayre as to responsibility ?

A. I did not inquire of his character, but I did inquire as to his responsibility.

Q. Did you not inform Mr. Sayre or other persons that you could not well afford to vote against the New Jersey Railroad Company in this matter, because they were a good customer to you, and that they bought railroad ties and spiles for bridges of you?

A. No sir, I never had such a word as that.

Q. Have you not said to Mr. Johnson, now here present, since the appointment of this committee, that the New Jersey Railroad Company was a good customer of yours, and that you sold them ties and bridge timber, and that you had made much money out of them?

A. No sir, I told him that I had told Mr. Condit, if they insisted on my vote they certainly would get it, and that they were high minded men, and I had dealt with them twelve or fifteen years, and for that reason I had took them to be my friends, as they had always lived up to their word. Again, the people of Middlesex at New Brunswick wanted me to vote for the bridge, as they were all interested in the Railroad. The two members from New Brunswick had spoken to me, and that I had said I should be likely to go for the New Jersey Railroad Company, if they needed my vote.

Q. Did Mr. Darcy, the President of the New Jersey Railroad Company, and John P. Jackson, the Vice President, take great in procuring the passage of the Plank Road Bridge in question ?

A. General Darcy has not spoken to me on the subject, and Mr. Jackson I don't think has said any thing. But on consideration I think that he did. I think he said he should look to me for my vote, and would like my vote on its passage.

Q. Did you have other interviews with Mr. Condit on this subject?

A. I did—I recollect being in the room with him, but there

was so much talking on each side about it that I cannot recollect. Mr. Hutchinson was in the room at the time.

Q. What other parties did you refer to when you spoke of having been bored by other parties in relation to the Bridge?

A. I cannot say that I was bored by any party except the one's present.

Q. Had you not interviews with the agents and officers of the New Jersey Railroad Company in relation to the Bridge?

A. Mr. Gaddis spoke to me, and said that they relied upon my vote, and I told them that I supposed they would have it if it was needed.

Q. Was there any allusion made or conversation with Mr. Gaddis or Jackson, or other officers of the Company in reference to any *spiling* or timber for the proposed bridge?

A. *No Sir.*

Q. Has there been no conversation between you and the New Jersey Railroad Company, its officers or agents, in relation to timber, &c.

A. There has been no inducements to me.

Q. Did you not admit to Joel W. Condit in the presence of Senator Hoxsey, that you might have misunderstood the word underwrite, as meaning a bribe?

A. I believe that I did.

A. Have you not named to others that you might have misunderstood the meaning of the word underwrite, in the alleged offer which has been alleged by you or considered by you as an intention to bribe or improperly control your vote by Mr. Condit?

A. I have said something to that effect. But the real impression on my mind was nothing more nor less than a *bona fide* offer of underwriting a check of five hundred dollars or more.

Q. When and to whom did you first name that an attempt had been made to control or bribe your vote?

A. I can't recollect the day. I should think the first person was Senator Swain, but I named it to several within one day.

Q. Did you name the matter before the veto message?

A. I did. I named it within ten minutes to Senator Swain.

Q. Did you name to John P. Jackson prior to the veto, that some attempt had been made improperly to control your vote?

A. Yes.

Q. Did you not put it in writing before the veto message?

A. I think that I did for John P. Jackson.

Q. Was the writing given to Mr. Jackson the same writing that you gave to the committee?

A. It was not the same writing, for he, Jackson, scratched and re-scratched it out, and it had to be written over.

Q. What do you mean by scratching out?

A. By saying that some words differed from what I thought right.

Q. Was it altered in point of phraseology or in matters of fact?

A. It was altered in matters of fact.

Q. When you first gave this writing to J. P. Jackson, was there an understanding between you and Mr. Jackson what use should be made of it?

A. *Yes, sir;* he said that he would lay it in his trunk, and make no use, unless the matters were called in question, and then I could refer to it as it was.

Q. Was the paper given by you to Mr. Jackson—the same paper you afterwards handed to this Committee?

A. I think it was not, and Mr. Jackson told me so—I think he told me he had it copied over. I read it myself, and thought it the same as the first statement.

Q. When you communicated these facts to Mr. Jackson, did you go to see him, or did he come to see you about it.

A. I would say that he came here—at any rate, he was here.

Q. At this interview with Mr. Jackson, did he inform you he had heard of this matter?

A. Mr. Jackson said he had seen it in the paper—in the Mercury.

Q. Do you know how the information got to the editor of the Mercury?

A. I do not.

Q. Have you had other interviews with Mr. Jackson about this matter, other than those mentioned in your direct examination?

A. Not prior to that veto, as that was the first time I seen him—I think I have not. Have talked with him since.

Q. Was there any overtures made to you for your vote by other persons than Mr. J. R. Sayre and Mr. J. W. Condit?

A. There was not.

Q. What did Mr. Jackson mean, on a certain occasion, when he said to you, recollect that I always carry out what I promise, or words to that effect?

A. I can't tell nothing about that.

Q. Did not Mr. Jackson meet you at a certain time, shortly previous to the final vote on the Plank Road bill in the Senate, and say to you, recollect that I always do as I promise, or words to that effect?

A. Not before the vote.

Q. Did he say anything of that kind after the vote?

A. He did—that was in regard to names. He had promised not to name persons charged with improper attempts upon his vote.

Q. Did you communicate the name of Mr. Condit as the person to any one except to John P. Jackson?

A. I did not communicate the name of Mr. Condit as the person to any other one than to John P. Jackson.

Q. Was that communicated under a pledge from Mr. Jackson as to secrecy in relation to the matter?

A. *It was.*

Q. Do you know whether Jackson showed the communication in writing, by you given to him, to Governor Price?

A. *I do not.*

Affidavit and Examination of James R. Sayre, Jr.

The first time I called upon Mr. Stults, the Senator from Middlesex, was at his room one night some time since; after introducing myself, by way of apology for calling upon him without a formal introduction, I stated that, although I resided in Essex, I owned property in Middlesex, and therefore felt somewhat privileged to call upon him. Mr. Stults then enquired where it was located, when I told him that I had Brick Manufactory on the Raritan River, near the village of Washington. He then said he knew where it was located, and asked me if I did not burn a great deal of wood, and enquired, when I purchased it, and of whom. I replied, I bought of different ones, and had bought some at Washington. He then stated he had sold wood at Washington and then had a quantity for sale, and enquired what I paid, I stated that I paid the market price, but I was not using any in the winter season, and therefore did not know what wood was worth at the present time, but that if he wished to sell me his wood, as I had no preference, I was willing to buy of him, upon the same terms as I did of others, and when I wanted, would call upon him and look at it; he replied

that if he should not be at home, he had a partner, who I could see and bar gain with.

I then changed the subject by saying, that my principal business was upon the Passaic River, and that as there were several applications for Bridging the river, now pending before the Legislature, and believing that Bridges would be a serious injury to my property, and to the commercial interest of the City of Newark, I had therefore called upon him to give my reasons for so thinking; after listening to me for a short time, he jocosely remarked, that he always went for Railroads and Bridges, because they always bought piles and ties of him. I then went on with giving my reasons in support of my position, when he soon interrupted me, by giving me an account of his operations with the Railroad Company. I then rose to leave the room, when his room-mate, Mr. Hutchinson and he talked together in an under tone, then Mr. Stults jocosely remarked that he had been bored by the parties advocating the other side of the question, and that he had about seven hundred bushels of corn, and a quantity of wood, and that the party that would pay him a dollar a bushel for his corn, and a price then stated (which I do not now recollect) for his wool, he would vote for them, and that he could defeat the bill. I laughingly replied, that I thought I would take it on those conditions, and then, on leaving the room, remarked, that they seemed to be disposed to be very funny.

The next time I visited Trenton, I called upon Mr. Stults again, when he talked as it appeared more earnestly, and remarked that he had heretofore voted against the plank road applications, and thought he should continue to do so. At a subsequent time, I saw him again at the State House, and told him that I was subpœned as a witness to attend a trial at the Court House at Newark, and did not know when I should be able to return to Trenton. I would, therefore, before I left, like to have him promise me that he would vote against the bill authorizing the bridging of the Passaic River. He replied that he would vote against the Plank Road bill, but I must not say any thing about the New Jersey Rail Road bill. I then replied, I should rely upon his promise, as I considered his vote would defeat the bill, and on my way to the cars, on my way home, I met Mr. Joel Condit, and I informed him that Mr. Stults had promised me to vote against the Plank Road bill, and suggested to him that it would be well for him to call on Stults, as I considered him rather fickle-minded. The next time I visited Trenton, Mr. Condit informed me that he had seen Mr. Stults, and Stults had inquired what kind of a man Mr Sayre was, and he replied to Mr. Stults that Sayre was an honorable and trustworthy man. Mr. Stults then inquired as to Sayre's pecuniary responsibility, to which Mr. Condit said he replied, that he would underwrite for Mr. Sayre for any amount from five hundred to five thousand dollars. Stults then replied that, I believe Sayre is a good kind of a man, and I have promised him to vote against the bill. Subsequently I had an interview with Mr. Stults, when he stated to me that he would adhere to his promise and vote against the bill, if his vote was necessary to defeat the bill. The next time I saw Mr. Stults was on the morning of the day the final vote was taken upon the Plank Road bill. While in the hall of the State House conversing with Mr. M. L. Ward, Mr. Stults approached, when I stepped up to him, and said, How are you? how do you stand upon the Plank Road question this morning? when he pleasantly replied, the same as ever, or the same as before. This was the last conversation I had with him until after the vote was taken, although I was in the Senate Chamber the most of the time dur-

ing the morning session. I am quite positive I did not speak to Mr. Stults until after the vote was taken, when soon after he voluntarily left his seat and came to me, and apologized for not voting as he had promised me, saying that he had intended to have done so, but that he missed his count, and at the same time said, you saw Mr. Gaddis talking with me while in my seat; Mr. Jackson sent him to me and insisted that I should vote for the bill. At noon, of the same day, I called upon him again, and asked him if he would vote for a reconsideration of the bill; he replied that he could not, although he sincerely thought the bridge ought not to be built, still his Rail Road friends, who had done a great deal for him, had pressed him very hard to vote as he had done, and therefore he could not comply with my request, at the same time saying he did not believe that it could change the result. After the committee was appointed to investigate the charges of bribery and corruption, and during that day a gentleman stated to me that he understood that Senator Stults' and my name were connected with the charges alluded to. After the Senate adjourned in the afternoon of the day the committe were appointed, I saw Senator Stults in the House of Assembly, and asked him if I could speak with him, when he stepped aside, and I said a person told me that he understood you and I were connected with this charge of bribery and corruption, and I then asked him if he knew any thing about it. He then stated he did; that Mr. Jackson called upon him and inquired into it, and that his reply to Mr. Jackson was, that while in conversation with me, and in the presence of Mr. Hutchinson, he stated that he made me the offer of defeating the bill, provided I would buy seven hundred bushels of corn at one dollar per bushel, and a lot of wood at a given price, and that I then agreed to take it upon those conditions, but distinctly told Mr. Jackson that it was all a joke, and was so considered by both of us, and that he regretted that any thing had been said or done about it.

I then asked him if there was any blame attached to me in any manner, and he replied that there was not. I then said, I understand there has been five or seven hundred dollars mentioned in connection with it; do you know any thing about it? He replied, I do not know any thing about it myself. I then asked him if he had heard any thing about it, when he stated, that he heard an offer of that kind had been made to another Senator. I then asked him who told him so, when he answered that it was Cory, Lawyer Cory, the man that you have seen about here. I then asked him if that was all he knew about the matter, when he replied that it was. I then asked him if he were going to make a corresponding statement before the committee, and he replied that he was. I then gave myself no further uneasiness, but returned home in the first train of cars, which left here after that time. All of which statements I solemnly swear to be true, to the best of my knowledge and belief.

JAMES R. SAYRE, JR.

Sworn and subscribed before the Committee, March 13th, 1855.
THOMAS D. HOXSEY,
MASTER IN CHANCERY.

Continuation of the Examination of James R. Sayre, Jr.

Question. Do you say that all statements as to the pur-

chase of wood and corn, with reference to controlling his vote, was a mere joke ?

Answer. Yes sir.

Q. Did not Mr. Stults say to you at every interview that he did not promise votes for any bill, but that if he did not change his mind he should vote against the Plank Road bill ?

A. No sir, I think not. By way of explanation I say, that Mr. Stults did make such remarks at either one or two interviews, but at the time I have spoken of as having been obliged to return home to attend a trial, I understood Mr. Stults to say distinctly that he would vote against the bill.

Question by Mr. Smith Prior to the interview you first had with Mr. Stults, had you ever heard any thing that would lead you to suppose he could be tampered with ?

A. I think not, sir.

[Conclusion of the examination of J. R. Sayre, Jr.]

Joel W. Condit, a witness produced before the committee, being duly sworn, saith—

That with others I have been in attendance upon the Legislature during its present session for the purpose of remonstrating against the various applications for Bridges over the River Passaic and Newark Bay below the Port of Newark. That while the bill authorizing the building of a bridge for the Newark Plank Road and Ferry Co., was under consideration in the House of Assembly, but little effort was made to defeat it ; but when it was introduced in the Senate. I called personally on many of the Senators, and among them the Hon. Ralph C. Stults, Senator from the County of Middlesex, whom I had known for several years, and who for two years past had voted against legalizing the erection of Piers and Fenders in Passaic River by said Company.

That when I first called on him and asked his vote against the bill he said he always voted for bridges and railroads, as they bought piles and ties of him ; this reply I supposed, at the time, as his manner indicated, was made jokingly ; that subsequently when I again called on him, and introduced the subject he inquired if I knew a Mr. Sayre of Newark, and whether I considered him good, that he understood he bought wood, for burning brick on Raritan River, and

that he might deal with him, as he had wood for sale. My reply was, he is perfectly good for any engagements he makes. At this time he gave me encouragement that he would vote against the bill. Subsequently on my arrival at Trenton, I met Mr. Sayre in the street and was informed by him that Mr. Stults had given him an assurance that he would vote against the Bridge, but he, Mr. Sayre thought it would be well for me to have a further interview with him, which I did at my earliest convenience. I said to him at this time, that I was glad to learn from Mr. Sayres that he had made up his mind to vote against the Bridge, to which he assented. He then inquired of me why Mr Sayre took so much interest in the matter? I replied that Mr. Sayre as well as myself had a deep interest at stake; both had extensive wharves and storehouses, and buildings erected thereon, at great cost, which together with their business would be seriously injured by the proposed Bridge. He again inquired of Mr. Sayre's responsibility and business, remarking that be seemed to be a very clever fellow, and would not like to see him injured. I again stated to him that he was perfectly good and responsible, and a man of the strictest integrity. That I would write on him or underwrite for him to any amount, from five hundred dollars to five thousand, or even for ten thousand dollars, for either his verbal or written engagements.—These inquiries as to the responsibility of Mr. Sayre induced me to think that an arrangement for purchase and sale of wood had been made, or would be made between the parties, and that negotiations to that end were then pending. Neither at this interview or at any other whatever was there any pledge or promise, express or implied, given by me except as before stated, and then only in reply to his inquiries. From my knowledge of the character and responsibility of Mr. Sayre I should have made the same reply to the same inquiry from any other person. I have no knowledge of any bargain between the parties, nor of the nature and extent of any agreement between them. I recollect meeting Mr Stults in the room of the Attorney General, but it was not on the day the final vote was taken. I am sure it was not on that day from the fact that he had assured me several days before that he would not only vote against the bill, but that he could and would kill it—that he had influence with certain Senators, naming two, one of whom he had already arranged with to vote against the bill, on conditions that he, Mr. Stults, would vote for another bill then before the Senate. The Senator named did vote against the bill, and the vote of Mr. Stults was given for it, and when given was the first intimation or evidence to me of any change of mind on his part.—I have never at any time or place communicated anything to Mr. Stults confidentially or requested him to "let any matter remain between us, and make no disclosures." I have never used the language to him, as published in his communication to the Committee, "beg-

ging for God's sake," &c., &c., or as stated in his examination before the Committee.

Sworn and subscribed before the Committee, March 13, 1855. } JOEL W. CONDIT.

THOS. D. HOXSEY,
Master in Chancery.

Examination of Joel W. Condit continued.

Question by Dr. Chetwood. You have stated in your affidavit that you met Mr. Stults in the Attorney General's room. How came you to be there?

Answer. My recollection is, that I invited Mr. Stults to go with me to the room of the Committee on Corporations; and when I got there and opened the door, we found the room occupied by two persons in conversation; the room door of the Attorney General was open, and we walked in there, and sat down by the table.

Q. What induced you to take Mr. Stults to the room of the Attorney General?

A. Prior to the arrangement between the Plank Road and the New Jersey Railroad Company, combining in favor of the Plank Road Bridge, we counted distinctly upon fourteen Senators as opposed to the Bridge. After the introduction of what is termed the consent clause into the Plank Road bill, and the open advocacy of the Bridge by the officers and agents of the New Jersey Railroad Company, after that we had misgivings about some of the Senators, and renewed our efforts in opposition to the bill with many Senators; and among them was Senator Stults. It was with that view that I invited him to the private interview, for the purpose of explaining the whole matter to him, with all of its injurious influences. I invited him to this room, because I found it difficult to obtain an interview at his own room. I had taken the same course with one other Senator, Mr. Franklin.

Q. What was the purport of the conversation with Mr Stults?

A. The purport of the conversation was urging upon him

the propriety of voting against the bill, and the injurious effects of said bill upon myself and the public at large; at the same time, I appealed to him as a matter of consistency. He had taken ground heretofore against legalizing the piers and fenders of the Plank Road and Ferry Company, to vote against the bill.

Q. Was it at that time you proposed to underwrite the check?

A. I never did propose to underwrite a check—I would say in justice to Mr. Stults though, when we entered the Attorney-General's room, the door being open we took our seats at the table, and I should think there were three or four boys playing riotously in the hall, and that either he or I, I do not know which, closed the door.

Q. Mr. Condit, did you lock the door?

A. I have no recollection of locking the door, and yet I may have done it.

Q. Was the interview at the Attorney-General's room, the first interview had by you with Mr. Stults?

A. I think not—I had interviews with him in my own room, in his room, in the street, in the lobbies of the capitol almost daily—I was in the habit of asking Senators to go into the Secretary of States office, and sitting down in the corner to talk with them about this bill.

Q. Had you ever before the interview in the Attorney-General's room entered fully into the merits of this case with Mr. Stults?

A. I had talked with him about it before. I do not know that I explained more fully there, then elsewhere. The reason we were looking for explicit assurances with regard to votes upon this question.

Q. *By Mr. Stults.* At the time I asked in regard to Mr. Sayre's responsibility did it not take place near the heating apparatus of the Rotunda?

A. The first time that Mr. Stults spoke to me with regard to Mr. Sayre was walking with him from the Railroad Station. The next time was in this room, but cannot say positively.

Thomas V. Johnson, being duly sworn according to law saith—

That I called upon R. C. Stults about three weeks since for the purpose of ascertaining from him his position on the Plank Road Bridge. I told him my views, and he seemed to agree with me, that it was important to keep the navigation of the River free and uninterrupted, and he thought if he was engaged in our business, he should think it would be a serious objection to the navigation. A few days after the first interview, I called again upon Mr. Stults and asked him how he felt upon the matter, and he told me he thought we were right and would like to vote with us. But he said the Railroad Company had been good customers of his, and he did not like to vote against them in this Bridge question. He informed me that he had sold the New Jersey Railroad Company a large number of ties, and they, the said Company, had given him a good job to furnish timber and piles for the Hackensack Bridge when it was re-built, and he had made fifteen hundred dollars out of the Company in two weeks' time; and it was hard to go against them after doing so much for him. Still, he said he would vote for us, if we needed his vote to prevent the passage of the Plank Road Bridge bill. He also informed me that the Railroad Company had given him a free ride over the road, and he could not vote against them, on their application for a bridge over the Passaic. On Friday last, the 2nd day of March, I called again upon Mr. Stults, and told him that there was a rumor abroad that he had made charges of bribery and corruption against the opposers of the Plank Road Bridge from Newark, and that I had called upon him, to ascertain from him *personally* who it was he referred to in his charges, and what evidence he had that a bribe had been offered. I asked him if he meant to say that I had offered to bribe him, and he answered no. I said again, do you charge it against Mr. James R. Sayre, jr., of Newark? and he replied no; that what had passed between him and Mr. Sayre was only a joke. I then said, well, do you charge bribery against Mr. Stephens? He answered no. I said, well, do you mean Mr. Condit, from Newark? and he said he would not tell me who it was—he would not say it was Mr. Condit or not. I said to him, will you be good enough to state to me what was the nature of the offer made by the person you refer to? In reply he said, he, the party referred to, offered to underwrite a check, or secure to him 500 or 700 dollars, or something

to that effect. I said to Mr. Stults, are you sure that the person you referred to made you an offer for your vote? In answer he replied, that I so understood it.

I said to him again, may it not be that you are mistaken in reference to the supposed offer referred to? and in reply he said, it is possible I may have misunderstood him, I then asked him, what did you understand by the term underwrite? He answered, I understood by it that he was to give a check, or underwrite a check, to pay for my vote. I asked Mr. Stults if he thought the person referred to, charged with offering a bribe, was in earnest; and he replied, he appeared so. But Mr. Stults added, that he thought a good deal of the gentleman, and still thinks so. He did not blame him, or words to that effect; or that he did not mean anything wrong.

On the 6th day of March, I called Mr. Stults out of the Assembly, and asked to have a further interview in reference to the charge of corruption; and he, Stults, informed me that the person referred to at my last interview was Mr. Condit, of Newark, against whom he has made the charge of bribery. I said to him, may I inquire of you whether you are certain that you understood Mr. Condit as to the offer of 500 or 700 dollars for his vote? He answered, I think I am not mistaken; but still I may be mistaken: I think just as well of Mr. Condit as ever I did; I think him still a good friend of mine, and a clever fellow; and I do not think it wrong to do as he did with me—that is, to make me an offer for my vote. I will sell my vote to any outside party that will give me my price for my vote, on any question not affecting my constituents. I said to him, do I understand, then, you are willing to sell your vote on any matter where your constituents are not immediately interested? He answered, yes, if they will give me my price. I inquired, what is your price? He answered, $100,000—and I think it perfectly right to do so, if I choose.

THOMAS V. JOHNSON.

Sworn and subscribed, March 13, 1855,

THOS. D. HOXSEY,
Master in Chancery.

Examination of Thos. V. Johnson continued.

Question by Dr. Chetwood. Did you understand Mr. Stults to say that Mr. Stults would really sell his vote, or was it pleasantry or banter?

Answer. The reason I made this inquiry, whether he wished me to understand him that he would sell his vote, was that he

had justified himself in making the offer to sell his vote, because he thought it was right, and I inquired of him if he was in earnest in his proposition to sell his vote? and he said it was right to sell his vote whenever his constituents were not interested.

Q. What do you think he meant by asking $100,000 for his vote?

A. I cannot say what he meant; he appeared to talk in earnest in telling me what his views were.

Q. You say that he appeared in earnest when he said he would sell his vote for $100,000?

A. I answer yes, sir.

Q. Had you seen Condit's affidavit before it was read this evening?

A. I think I have.

Q. Have you seen Mr. Sayre's affidavit before this evening?

A. I had heard some expressions from Sayre what was in it, but had not seen it or read it.

Q. Had Condit or Sayre seen your affidavit before this evening?

A. I read it to them; but on reflection, think I am mistaken as to Mr. Sayre's having seen my statement or affidavit.

Edward J. Hillyer being duly sworn, says:

Q. Mr. Hillyer, do you know of any efforts being made by the opponents of the Plank Road Bridge, or any other person, to induce a Senator to leave his seat upon the final vote upon that question?

A. I do not.

Q. Mr. Hillyer, did you go to Washington while the bill was in the hands of the Governor?

A. I think so.

Q. Did you hear it stated there that a Senator had been bought to leave his seat?

A. Not to my knowledge or recollection.

Said report, with the testimony accompanying the same, were read and accepted, and

On motion of Mr. Swain, said committee were discharged, and the report and testimony ordered to lie on the table.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows:

HOUSE OF ASSEMBLY, March 13, 1855.

Mr. President:—

I am directed to inform the Senate that the House of Assembly has passed

The bills from the Senate severally entitled

A supplement to an act entitled 'an act to incorporate the

Sterling Zinc Company,' approved March third, eighteen hundred and fifty-four ;

Supplement to the act entitled 'an act respecting Coroners,' approved April seventeenth, eighteen hundred and forty-six ;

" An act to incorporate the Burlington County Iron Manufacturing Company."

A supplement to an act to incorporate the Lumberville Delaware Bridge Company, passed February twelfth, eighteen hundred and thirty-six.

A supplement to the act entitled " An act to incorporate the Hoboken Land and Improvement Company," passed the twenty-first day of February. eighteen hundred and forty-eight.

An act to simplify the Pleadings and Practice in Courts of Law.

A supplement to the act entitled " an act to prevent Fraudulent Trusts and Assignments," approved March seventh, eighteen hundred and fifty.

A further supplement to the act approved April fifteenth, eighteen hundred and forty-six, and entitled " an act to prevent in certain cases the abatement of suits and reversal of Judgments.

An act to authorize the Trustees of the incorporated districts of Chester to sell their School House and Lot.

A supplement to an act entitled " an act to incorporate the White Horse Turnpike Company."

An act for incorporating Vessel Building Associations.

An act to secure to the owners lumber found adrift in the River Delaware.

Without amendment.

P. D. VROOM, Clerk.

Mr. Hoxsey moved that the Senate now proceed to the special order of the day, being the consideration of

The bill from the House of Assembly, entitled

A supplement to an act entitled 'An act to incorporate the Newark Plank Road and Ferry Company,' approved February twenty-fourth, eighteen hundred and forty-nine,

Returned, with the objections of the Governor to the same.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. I. Bonnell, Depew, Hoxsey, Rea, Somers —5.

NAYS—Messrs. A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Smith, Stults, Swain—11.

So said motion was not agreed to.

The bill entitled,

A supplement to an act entitled 'An act to incorporate the Sterling Zinc Company,' approved March third, eighteen hundred and fifty-four;

Also,

The bill entitled,

Supplement to the act entitled 'An act respecting Coroners,' approved April seventeenth, eighteen hundred and forty-six;

Also,

The bill entitled,

An act to incorporate the Burlington County Iron Manufacturing Company;

Also,

The bill entitled,

A supplement to the act entitled 'An act to incorporate the Hoboken Land and Improvement Company,' passed the

twenty-first day of February, Anno Domini eighteen hundred and thirty-eight;

Also,

The bill entitled,

A supplement to an act to incorporate the Lumberville Delaware Bridge Company, passed February twelfth, eighteen hundred and thirty-six.

Also,

The bill entitled,

An act to simplify the Pleadings and Practice in Courts of Law.

Also,

The bill entitled,

A supplement to the act entitled "an act to prevent Fraudulent Trusts and Assignments," approved March seventh, eighteen hundred and fifty.

Also,

The bill entitled,

A further supplement to the act approved April fifteenth eighteen hundred and forty-six, and entitled "an act to prevent in certain cases the abatement of suits and reversal of Judgments.

Also,

The bill entitled,

A supplement to an act entitled "an act to incorporate the White Horse Turnpike Company."

Also,

The bill entitled,

An act to authorize the Trustees of the incorporated districts of Chester to sell their School House and Lot.

Also,

The bill entitled,

An act for incorporating Vessel Building Associations.

Also,

The bill entitled,

An act to secure to the owners, lumber found adrift in the river Delaware;

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The engrossed bill entitled,

Supplement to the act to regulate Elections, approved April sixteenth, eighteen hundred and forty-six,

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, Cowperthwaite, Franklin, Howell, Martin, Smith, Swain—8.

NAYS—Messrs. I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Robertson, Somers, Stults—9.

The engrossed bill entitled,

An act to change the name of the First Presbyetrian Church of South Trenton to Second Presbyterian Church of Trenton,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres) A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Laird. Martin, Rea, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said blil, the Secretary carry it to the House of Assembly, and inform them that the President has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled

An act to incorporate the Hudson Land and Improvement Company,

Was taken up, read a second time, and

On motion of Mr. Bramhall, the further consideration of the same was postponed for the present.

Mr. Howell moved that

The bill entitled,

An act to repeal a part of the act concerning inns and taverns, and for other purposes,

Be re-committed to the Committee on the Judiciary.

Which motion was agreed to, and the bill re-committed accordingly.

The bill entitled,

Supplement to the act respecting Roads,

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to have a third reading.

On motion of Mr. Depew,

The Senate then adjourned.

At three o'clock the Senate met.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 147, entitled,

An act to incorporate the Pennsgrove Pier Company;

Also,

Senate bill No. 67, entitled

An act to change the name of "The Union Presbyterian Church of Georgetown and Lambertville," in the county of Hunterdon.

Also,

Senate bill No. 38, entitled

A further supplement to the act entitled "An act to incorporate the City of Paterson," approved March nineteenth, eighteen hundred and forty-one:

Also,

Senate bill No. 81, entitled

A supplement to the act entitled "An act for the relief of the State of New Jersey, in relation to the estate of John G. Leake, deceased, passed the fifteenth day of March, in the year of our Lord, one thousand eight hundred and thirty-seven,

Also,

Senate bill No. 73, entitled

An act to incorporate the Lambertville Water Company.

DANIEL D. DEPEW,
Ch'm of said Committee.

March 14, 1855.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

An act to incorporate the Bridgeton and Marlton Turnpike Company,

Reported the same,
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The amendments made in the Senate to

The bill from the House of Assembly entitled,

An act to incorporate the city of Hoboken,

Also,

The amendments made in the Senate to

The bill from the House of Assembly entitled

An act to authorize 'The Trustees of the Newark Academy,' to sell and convey certain real estate in the city of Newark,

Also,

The bill entitled,

A supplement to the act entitled 'an act to regulate the State Library,' approved April the tenth, eighteen hundred and forty-six.

Also,

The bill entitled

An act for the relief of stockholders holding stock in incorporated companies of this State,

Also,

The bill entitled

A supplement to the act entitled 'an act to incorporate the Camden and Atlantic Land Company,' approved March tenth, eighteen hundred and fifty-three,

And find the same to be severally correctly engrossed.

Mr. Rea, from the Committee on Municipal Corporations, to which was referred

The bill from the House of Assembly, entitled

An act to set off from the townships of Northampton, Southampton and Medford, in the county of Burlington, a new township, to be called the township of Lumberton;

Reported the same
Without amendment.

Mr. Chetwood asked permission to have his vote recorded upon

The bill entitled,

A further supplement to the act entitled 'An act to regulate elections,' approved April sixteenth, eighteen hundred and forty-six,

Which was placed upon its final passage during his absence.

The unanimous consent of the Senate being given,

The Secretary, under the direction of the President, called the Senator, who voted in the affirmative, and his vote ordered to be so recorded.

On motion of Mr. Rea,

The bill entitled,

An act to divide the township of Mansfield, in the county of Warren, and to establish a new township in said county, to be called the township of Beattystown,

Was postponed to the next session of the Legislature.

The engrossed bill entitled,

An act for the relief of stockholders holding stock in the incorporated companies of this State,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Chetwood, Franklin, Howell, Hoxsey, Rea, Robertson, Somers, Swain—8

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Laird, Martin, Smith, Stults,—9.

The engrossed bill entitled,

A supplement to the act entitled 'An act to regulate the State Library,' approved April the tenth, eighteen hundred and forty-six,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Somers, Smith, Stults, Swain —17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary car-

ry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled

An act to incorporate the city of Hoboken,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Robertson, Somers, Smith, Stults, Swain—15.

NAYS—Mr. Howell—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 14, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill from the Senate entitled,

An act to authorize the sale of perishable property transported on railways and canals in certain cases;

Also,

The bill from the Senate, entitled

A further supplement to an act entitled 'An act to incorporate the Sussex Zinc and Copper Mining and Manufacturing Company,' approved February twenty-third, eighteen hundred and forty-eight;'

Also,

The bill from the Senate, entitled

A further supplement to the act entitled 'An act respecting the Orphans' Court, and the power and authority of Surrogates.

Also,

The bill from the Senate, entitled

Supplement to an act entitled 'An act to incorporate the Burlington Gas Light Company,' approved the tenth day of March, one thousand eight hundred and fifty-two;

Also,

The joint resolutions from the Senate, entitled

Joint resolutions in relation to the encroachments made in the harbor of New York,

Without amendment.

Also,

The bill from the Senate, entitled

A further supplement to the act entitled 'An act authorizing the removal of certain mill-dams from Rahway River and its branches, within the limits of the townships of Rahway and Woodbridge, in the counties of Essex and Middlesex, approved March third, eighteen hundred and fifty-four;

Also,

The bill from the Senate, entitled

An act to incorporate the Passaic Point Company,

With sundry amendments, in which amendments the concurrence of the Senate is requested.

Also,

That the House of Assembly has passed

The bill entitled,

A further supplement to the act entitled 'An act to incorporate the Monmouth County Plank Road Company,'

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has concurred in the amendments made by the Senate to

The bills entitled,

An act relative to the Public Printing,

And

An act to authorize the erection of a Draw or Swing Bridge over the Mullicas River,

And has caused said bills to be re-engrossed, the amendments made in the Senate to be embodied therein, and has passed the same.

P. D. VROOM, Clerk.

The bill entitled,

An act to authorize the sale of perishable property transported on canals and railways in certain cases;

Also,

The bill entitled,

A further supplement to an act entitled 'An act to incorporate the Sussex Zinc and Copper Mining and Manufacturing Company,' approved February twenty-third, eighteen hundred and forty-eight;

Also,

The bill entitled,

A further supplement to the act entitled 'An act respecting the Orphans' Court, and the power and authority of Surrogates;'

Also,

The bill entitled,

Supplement to an act entitled 'An act to incorporate the Burlington Gas Light Company,' approved the tenth day of March, one thousand eight hundred and fifty-two,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The bill from the House of Assembly, entitled

An act to incorporate the Hudson Land and Improvement Company,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative as follows:

AYES—Messrs. Alexander, (Pres.), Bramhall, Cowperthwaite, Depew, Franklin, Howell, Laird, Robertson, Somers, Smith—10.

Nays—Messrs. A. V. Bonnell, I. Bonnell, Rea, Stults, Swain—5.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill from the House of Assembly entitled,

A further supplement to the act entitled 'an act to incorporate the Monmouth County Plank Road Company,'

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill entitled,

An act to incorporate the Passaic Paint Company,

And the amendments made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

Mr. I. Bonnell moved that the vote by which

The bill from the House of Assembly, entitled,

An act to incorporate the Hudson Land and Improvement Company,

Was disagreed to upon its final passage,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Robertson, Somers, Smith—12.

NAYS—Messrs. A. V. Bonnell, Rea, Stults, Swain—4.

So said motion was agreed to, and the vote re-considered accordingly.

The bill entitled,

A further supplement to the act entitled 'An act authorizing the removal of certain mill-dams from Rahway River and its branches, within the limits of the townships of Rahway and

Woodbridge, in the counties of Essex and Middlesex,' approved March third, eighteen hundred and fifty-four,

And the amendments made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

Mr. Stults asked permission to change his vote upon

The bill entitled,

A further supplement to the act entitled 'An act to regulate elections,' approved April sixteenth, eighteen hundred and forty-six,

Which was disagreed to this morning upon its final passage.

Which permission was refused by the Senate.

Mr. Hoxsey moved that five hundred copies of the Reports of the Special Committee, to which was referred certain charges based upon alleged attempts to control the votes of Senators, with the testimony taken by said Committee, be printed.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Rea, Robertson, Somers—8.

NAYS—Messrs. A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Smith, Stults, Swain—10.

So said motion was not agreed to.

Mr. Smith offered the following resolution:

Resolved, That the Special Committee, to whom was referred certain charges based upon alleged attempts to control the votes of Senators, be reinstated with power to continue said investigation.

Which was read.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (Pres) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Smith, Stults, Swain—14.

NAYS—Messrs. Cowperthwaite, Depew, Robertson, Somers —4.

So said resolution was agreed to.

The bill from the House of Assembly, entitled

An act to authorize the Trustees of Newark Academy to sell and convey certain real estate in the city of Newark,

And the amendments made thereto in the Senate,
Was taken up and read a third time.

Upon the question,
Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

Mr. I. Bonnell moved that the further consideration of
The bill entitled,

An act supplementary to an act for the relief of persons imprisoned on civil process, approved April sixteenth, one thousand eight hundred and forty-six,

Be indefinitely postponed.

Which motion was agreed to, and the bill postponed accordingly.

The engrossed bill entitled,

An act to incorporate the Bay City Company,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.)Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Somers, Stults, Swain—13.

NAYS—Messrs. A. V. Bonnell, Hoxsey, Rea—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill entitled,

An act to incorporate the Bridgeton and Marlton Turnpike Company,

Was taken up, read a second time, considered by sections and agreed to, and ordered to be engrossed and have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the Hudson and Hackensack Tunnel and Through Cut Company,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly entitled,

An act to incorporate the Burlington and Willingboro' Turnpike Company,

Which was read a second time yesterday, and postponed whilst under consideration,

Was taken up, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

An act to extend the provisions of the act entitled "An act to prevent horses, cattle, sheep and swine from running at large in the townships of Hackensack and Harrington, in the county of Bergen," approved February twelfth, eighteen hundred and fifty-two, to certain townships in the counties of Essex, Middlesex, Hudson and Bergen,

Was taken up; and having been previously read a second time, considered and agreed to,

Mr. Bramhall moved that the vote by which the first section was agreed to

Be re-considered.

Which motion was agreed to, and the vote re-considered.

Said section was then amended and agreed to.

The same Senator moved that the vote by which the title of said bill was agreed to

Be re-considered.

Which motion was agreed to, and the vote re-considered.

The title of said bill was then amended and agreed to. and the amendments to said bill ordered to be engrossed, and the bill to have a third reading.

The bill from the House of Assembly, entitled

A supplement to the act entitled "An act for incorporating Trustees of the New Jersey Baptist Association," passed November twenty-fifth, one thousand eight hundred and twenty-two,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled

An act to widen and regulate the Draws in the bridges over the Passaic river,

Which was postponed some days since, pending the consideration of the first section thereof,

Was taken up, and the first and second sections considered and agreed to.

The third section was then considered, amended and agreed to.

The fourth section thereof as follows—

4. *And be it enacted*, That so much of the acts heretofore passed as are inconsistent with this act, be and the same are hereby repealed,

Was then taken up, and while under consideration,

Mr. Allen moved that the further consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. Allen, A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Stults, Swain—8.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Cowperthwaite, Hoxsey, Rea, Robertson, Somers, Smith—9.

So said motion was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to the fourth section, were as follows:

AYES—Messrs. I. Bonnell, Bramhall, Hoxsey, Rea, Robertson, Somers, Smith—7.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Stults, Swain—10.

So said section was not agreed to.

Mr. Hoxsey moved that the further consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. I. Bonnell, Bramhall, Franklin, Howell, Hoxsey, Robertson, Somers—7.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Martin, Rea, Smith, Stults, Swain —10.

So said motion was not agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, the amendments were ordered to be engrossed, and the bill to have a third reading.

The bill from the House of Assembly entitled,

An act to empower Mary Morris, administratrix of John B. Morris, deceased, to execute a deed,

Was taken up.

Mr. Hoxsey moved that the Senate disagree to said bill for the reason of the unconstitutionality of the same.

Which motion was agreed to.

Ordered That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The Joint resolutions entitled,

Joint resolutions relative to encroachments made in the harbor of New York,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon :

"I certify that these joint resolutions originated in the Senate."
A. R. THROCKMORTON,
Secretary of Senate.

Mr. Hoxsey, from the committee on the Judiciary, to which was re committed

The bill entitled
An act concerning Evidence,

Reported the same,
With sundry amendments.

Said bill was then taken up, the amendments reported by the committee considered and agreed to, and the bill ordered to be engrossed and have a third reading.

On motion of Mr. Hoxsey, said bill was ordered to be re-printed.

Mr. Hoxsey moved a suspension of so much of the twenty third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A further supplement to the act entitled 'an act to incorporate the city of Paterson,' approved March nineteenth, A. D., eighteen huudred and fifty-one,

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The same Senator presented a petition from the City Council of the city of Paterson, in favor of the alteration of the line of the North Ward of said city,

Which was referred to the Committee on Municipal Corporations without reading.

The bill from the House of Assembly, entitled

A supplement to the act entitled "an act for the punishment of Crimes,"

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly, as amended, pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Martin, Rea, Robertson, Somers, Stults, Swain—14.

NAYS—Messrs. Alexander, (Pres), Howell, Smith—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

On motion of Mr. A. V. Bonnell,

The Senate then adjourned.

THURSDAY, March 15, 1855.

At 10 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of the previous day was read and approved.

Mr. Chetwood presented a petition from citizens of the townships of Westfield, Plainfield, Union, New Providence, Elizabeth, Rahway and Springfield, praying the passage of a law to set off said townships from the county of Essex into a new county, to be called the county of Union,

Which was ordered to lie on the table without reading.

The same Senator presented a remonstrance from citizens of the same townships against the passage of the act to create the county of Union,

Which was ordered to lie on the table without reading.

Mr. Depew, from the Committee on Passed Bills, reported as follows:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 62, entitled,

A supplement to an act entitled 'An act to incorporate the Sterling Zinc Company,' approved March third, eighteen hundred and fifty-four;

Also,

Senate bill No. 65, entitled

Supplement to the act entitled 'An act respecting Coroners,' approved April seventeenth, eighteen hundred and forty-six;

Also,

Senate bill No. 68, entitled

An act to incorporate the Burlington County Iron Manufacturing Company;

Also,

Senate bill No. 77, entitled

A supplement to an act to incorporate the Lumberville Delaware Bridge Company, passed February twelfth, eighteen hundred and thirty-six;

Also,

Senate bill No. 83, entitled

A supplement to the act entitled "an act to incorporate the Hoboken Land and Improvement Company," passed the twenty-first day of February, Anno Domini eighteen hundred and thirty-eight;

Also,

Senate bill No. 94, entitled

An act to simplify the Pleadings and Practice in Courts of Law;

Also,

Senate bill No. 95, entitled

A supplement to the act entitled "an act to prevent Fraudulent Trusts and Assignments," approved March seventh, eighteen hundred and fifty.

Also,

Senate bill No. 112, entitled

An act for incorporating Vessel Building Associations.

Also,

Joint resolutions No. 5, entitled

Joint resolutions in relation to the encroachments made in the harbor of New York.

DANIEL D. DEPEW,
Ch'm of said Committee.

March 14, 1855.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled,

A further supplement to an act entitled 'An act authorizing the removal of certain mill-dams from Rahway River and its branches, within the limits of the townships of Woodbridge and Rahway, in the counties of Essex and Middlesex,' and approved March third, eighteen hundred and fifty-four.

Also,

The re-engrossed bill entitled,

An act to incorporate the Passaic Paint Company.

Also,

The bill entitled,

An act concerning Evidence.

Also,

The bill entitled,

Supplement to the act respecting Roads.

Also,

The amendments made in the Senate to

The bill from the House of Assembly entitled,

An act to extend the provisions of the act entitled 'an act to prevent horses, cattle, sheep and swine from running at large in the townships of Hackensack and Harrington, in the county of Bergen,' approved February twelfth, eighteen hundred and fifty-two, to certain townships in the counties of Essex, Middlesex, Hudson and Bergen.

Also,

The amendments made in the Senate to

The bill from the House of Assembly entitled,

An act to widen and regulate the Draws in the Bridges over the Passaic River.

And find the same to be severally correctly engrossed.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly, entitled

A further supplement to the act entitled 'an act to incorporate the Monmouth County Plank Road Company,'

Reported the same,
Without amendment.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred the petition of Martha Rose, asking the passage of a law authorizing the execution of a contract entered into between her husband in his life-time, and one William Sickles,

Reported adversely to the prayer of the petitioner, for the want of constitutional power.

Which report was accepted.

The same Senator, from the same Committee, to which was referred

The bill entitled,

An act in relation to writs of certiorari to remove taxes and assessments,

Reported the same without amendment, but with a recommendation that the same do not pass.

Mr. Franklin asked leave to withdraw the petition of Sarah Hyer, the widow of William Hyer, deceased, from the files of the Senate.

Which leave was granted, and said petition withdrawn accordingly.

Mr. Swain offered the following resolution:

Resolved, That no private bills shall be introduced into the Senate after Wednesday next.

Which was read and agreed to.

Mr. I. Bonnell moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to repeal the act entitled 'an act to protect fish in Swartwout pond, in the county of Sussex,'

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Miscellaneous Business.

The engrossed bill entitled,

An act to incorporate the Passaic Paint Company,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Somers, Stults, Swain—14.

NAYS—Messrs. Alexander, (Pres.) Hoxsey, Robertson, Smith —4.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill

and has ordered said bill to be re-engrossed, and has passed the same.

Mr. Allen moved that the vote by which

The bill entitled,

An act relative to the Princeton Bank,

Was ordered to be engrossed, and have a third reading.

Be re-considered.

Which motion was agreed to, and the vote re-considered.

The engrossed bill entitled,

An act concerning Evidence,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass ?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Howell, Hoxsey, Laird. Martin, Rea, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A Supplement to the act entitled 'an act to incorporate the Camden and Atlantic Land Company,' approved March tenth, eighteen hundred and fifty three,

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass ?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The re-engrossed bill entitled,

A further supplement to an act entitled 'An act authorizing the removal of certain mill-dams from Rahway River and its branches, within the limits of the townships of Woodbridge and Rahway, in the counties of Essex and Middlesex, approved March third, eighteen hundred and fifty-four,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—Hoxsey—1.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has caused said bill to be re-engrossed, and passed the same.

The bill from the House of Assembly, entitled,

An act to widen and regulate the Draws in the bridges over the Passaic river,

And the amendments made thereto in the Senate,

Were taken up upon their third reading.

Mr. Franklin moved that the further consideration of said bill be indefinitely postponed.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Stults—8.

NAYS—Messrs. I. Bonnell, Bramhall, Cowperthwaite, Depew, Hoxsey, Laird, Rea, Robertson, Somers, Smith, Swain—11.

So said motion was not agreed to.

Mr. Bramhall moved that the further consideration of said bill be postponed until next week.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Franklin, Howell, Laird, Martin, Stults, Swain—10.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Cowperthwaite, Depew, Hoxsey, Rea, Robertson, Somers, Smith—9.

So said motion was agreed to, and the further consideration of said bill postponed accordingly.

The bill entitled,

A further supplement to an act entitled 'An act authorizing the removal of certain mill dams from Rahway River and its branches, within the limits of the townships of Woodbridge and Rahway, in the counties of Essex and Middlesex,' and approved March third, eighteen hundred and fifty-four,

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on

Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon :

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The bill from the House of Assembly entitled,

An act to extend the provisions of the act entitled 'an act to prevent horses, cattle, sheep and swine from running at large in the townships of Hackensack and Harrington, in the county of Bergen,' approved February twelfth, eighteen hundred and fifty-two, to certain townships in the counties of Essex, Middlesex, Hudson and Bergen,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass ?

It was decided in the affirmative, as follows :

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Somers, Smith, Stults, Swain—18.

NAYS—Robertson—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

Mr. Hoxsey moved that the Senate now take up for re-consideration

The bill from the House of Assembly, entitled

A supplement to an act entitled "an act to incorporate the Newark Plank Road and Ferry Company," approved February twenty-fourth, eighteen hundred and forty-nine,

Which was returned by His Excellency the Governor, with his objections thereto in writing.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Smith, Stults, Swain —10.

So said motion was not agreed to.

The bill from the House of Assembly entitled,

An act to incorporate the Burlington and Willingboro' Turnpike Company,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Somers, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly entitled,

An act to incorporate the Union Blues of Newark,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Stults, Swain—8.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Howell, Laird, Rea, Robertson, Somers—8.

Ordered That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill from the House of Assembly, entitled

A supplement to the act entitled 'an act for incorporating Trustees of the New Jersey Baptist Association,' passed November twenty-fifth, one thousand eight hundred and twenty-two.

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Robertson, Somers, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled,

A supplement to an act entitled 'An act to incorporate the Bridgeton and Milville Turnpike Company,' approved February seventh, eighteen hundred and fifty-four,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

An act to incorporate the Port Monmouth Association for building on and improving certain lands located at Port Monmouth, in the county of Monmouth,

Which was postponed some days since, pending the consideration of the first section,

Was taken up, and having been read a second time, was considered by sections, amended and agreed to, the amendments ordered to be engrossed, and the bill to have a third reading.

The bill from the House of Assembly, entitled

An act to improve the navigation of North and South Shrewsbury Rivers, in the county of Monmouth,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. I. Bonnell asked leave to withdraw the petition of Martha Rose, and the papers accompanying the same, from the files of the Senate.

Which being granted, the petition and papers were withdrawn.

The bill from the House of Assembly entitled,

An act to incorporate the Lawrenceville, Berkley and Thorofare Turnpike Company,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled

A further supplement to the act entitled 'an act to incorporate the Monmouth County Plank Road Company,'

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

On motion of Mr. Laird,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Depew, from the Committee on Miscellaneous Business, to which was referred

The bill entitled,

An act to repeal the act entitled 'an act to protect fish in the Swartwout pond, in the county of Sussex,'

Reported the same,
Without amendment.

The same Senator, from the Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 82, entitled,

A further supplement to an act entitled 'an act authorizing the removal of certain mill-dams from Rahway River and its branches, within the limits of the townships of Woodbridge and Rahway, in the counties of Essex and Middlesex,' approved March third, eighteen hundred and fifty-four.

DANIEL D. DEPEW,
Ch'm of said Committee.

March 15, 1855.

Mr. Rea, from the Committee on Municipal Corporations, to which was referred

The bill entitled

A further supplement to the act entitled 'an act to incorporate the city of Paterson,' approved March nineteenth, A. D., eighteen huudred and fifty-one,

Reported the same,
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to incorporate the Bridgeton and Marlton Turnpike Company,

And find the same to be correctly engrossed.

Mr. Stults moved that the vote by which

The bill entitled,

An act to incorporate the City Bank of Perth Amboy,

Was ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

The engrossed bill entitled,

Supplement to the act respecting Roads,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows:

HOUSE OF ASSEMBLY, March 15, 1855.

Mr. President:—

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

An act to incorporate the South Jersey Central and Air Line Railroad Company,

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has concurred in certain of the amendments made in the Senate to

The bill entitled,

An act to incorporate the city of Hoboken

And has disagreed to certain other of the amendments made in the Senate to said bill,

And has caused said bill to be re-engrossed with the amendments concurred in, embodied therein, and has passed the same.

And requests the Senate to recede from the amendments not concurred in by the House of Assembly.

Also,

That the House of Assembly has passed

The bill from the Senate, entitled

An act to authorize the inhabitants of the township of Bernards, in the county of Somerset, and the inhabitants of the township of West Millford in the county of Passaic, to vote by ballot at their town meetings

With sundry amendments, in which amendments the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill entitled,

An act to incorporate the Passaic Paint Company,

Having passed both Houses,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon :

'I certify that this bill originated in the Senate.'

A. R. THROCKMORTON,
Secretary of Senate.

The engrossed bill entitled,

An act to incorporate the Bridgeton and Marlton Turnpike Company,

Was taken up and read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows :

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Smith, Stults, Swain —17.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

On motion of Mr. Hoxsey, the Senate proceeded to reconsider

The bill from the House of Assembly, entitled

A supplement to an act entitled "an act to incorporate the Newark Plank Road and Ferry Company," approved February twenty-fourth, eighteen hundred and forty-nine,

Which was returned by the Governor, with his objections to the same.

Said bill, with the objections of the Governor thereto, having been read and re-considered,

Upon the question,

Shall this bill again pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres) Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Smith, Stults, Swain—11.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Depew, Hoxsey, Rea, Robertson, Somers—8.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has re-considered said bill, and passed the same.

The bill from the House of Assembly entitled

An act to incorporate the South Jersey Central and Air Line Railroad Company,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill entitled,

An act to authorize the inhabitants of the township of Bernards, in the county of Somerset, and the inhabitants of the township of West Millford in the county of Passaic, to vote by ballot at their town meetings

And the amendments made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill from the House of Assembly entitled

A supplement to an act entitled 'an act incorporating Homestead and Building Companies,' approved February twenty-fifth, one thousand eight hundred and fifty-two,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

An act to incorporate the Mount Holly and Tuckerton Rail road Company;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

On motion of Mr. Depew,

The Senate then adjourned.

FRIDAY, March 16, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Starr.

The journal of the previous day was read and approved.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 16, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

A supplement to the act entitled 'an act to incorporate the Ocean Port Steamboat Company,' approved March fifth, eighteen hundred and fifty-five,

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has passed

The bill from the Senate, entitled

An act to encourage the emigration and settlement of the free people of color of New Jersey in Liberia,

Without amendment.

Also,

That the House of Assembly has passed

The bill from the Senate, entitled

An act making a further appropriation for the prosecution of the geological survey of this State,

With certain amendments, in which amendments the concurrence of the Senate is requested.

I am also directed to request the Senate to return to the House of Assembly for further consideration

The bill entitled,

An act to incorporate the city of Hoboken.

P. D. VROOM, Clerk.

Which being read, it was

Ordered, That the Secretary be directed to return to the House of Assembly

The bill from the House of Assembly entitled,

An act to incorporate the city of Hoboken,

In pursuance of said request.

The bill entitled,

An act to encourage the emigration and settlement of the free people of color of New Jersey in Liberia,

Was delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

Mr. Depew, from the Joint Committee on Passed Bills, presented the following report:

Senate bill No. 97, entitled

A further supplement to the act entitled 'An act respecting the Orphans' Court, and the power and authority of Surrogates.

Also,

Senate bill No. 72, entitled

An act to authorize the sale of perishable property transported on canals and railways in certain cases;

Also,

Senate bill No. 58, entitled

Supplement to an act entitled 'An act to incorporate the Burlington Gas Light Company,' approved the tenth day of March, one thousand eight hundred and fifty-two;

Also,

Senate bill No. 60, entitled

A further supplement to an act entitled 'An act to incorporate the Sussex Zinc and Copper Mining and Manufacturing Company,' approved February twenty-third, eighteen hundred and forty-eight;

Also,

Senate bill No. 100, entitled

A supplement to an act entitled "an act to incorporate the White Horse Turnpike Company."

Also,

Senate bill No. 99, entitled

An act to authorize the Trustees of the incorporated districts of Chester to sell their School House and Lot.

Also,

Senate bill No. 86, entitled

A further supplement to the act approved April fifteenth eighteen hundred and forty-six, and entitled "an act to prevent in certain cases the abatement of suits and reversal of Judgments.

Also,

Senate bill No. 121,

An act to secure to the owners, lumber found adrift in the river Delaware;

DANIEL D. DEPEW,
Ch'm of said Committee.

March 15, 1855.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled

An act to authorize the inhabitants of the township of Bernards, in the county of Somerset, to vote by ballot at their town meetings,

Also,

The amendments made in the Senate to

The bill from the House of Assembly, entitled

An act to incorporate the Port Monmouth Association for building on and improving certain lands located at Port Monmouth, in the county of Monmouth,

And find the same to be severally correctly engrossed.

The bill from the House of Assembly, entitled

A supplement to the act entitled 'an act to incorporate the Ocean Port Steamboat Company,' approved March fifth, eighteen hundred and fifty-five,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The re-engrossed bill entitled,

An act to authorize the inhabitants of the township of Bernards, in the county of Somerset, to vote by ballot at their town meetings,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Alexander, (Pres), A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—15.

Nays—None.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has caused said bill to be re-engrossed, and passed the same.

The bill from the House of Assembly, entitled,

A further supplement to the act entitled 'An act to incorporate the Monmouth County Plank Road Company,'

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Rea, Roberts, Somers, Smith, Stults, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

A message was received from His Excellency, the Governor by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, March 15, 1855.

Hon. Wm. C. Alexander,
President of the Senate,

SIR—I have this day signed and approved the following bill, which originated in your House:

An act to incorporate the Burlington County Iron Manufacturing Company;

Also,

A supplement to the act entitled " an act to prevent Fraudulent Trusts and Assignments," approved March seventh, eighteen hundred and fifty.

Also,

A supplement to an act to incorporate the Lumberville Delaware Bridge Company, passed February twelfth, eighteen hundred and thirty-six;

Also,

Supplement to the act entitled 'An act respecting Coroners,' approved April seventeenth, eighteen hundred and forty-six;

Also,

A supplement to an act entitled 'An act to incorporate the Sterling Zinc Company,' approved March third, eighteen hundred and fifty-four;

Also,

An act to change the name of "The Union Presbyterian Church of Georgetown and Lambertville," in the county of Hunterdon.

Also,

An act to incorporate the Pennsgrove Pier Company;

Also,

An act to incorporate the Lambertville Water Company.

Also,

A further supplement to an act entitled 'an act authorizing the removal of certain mill-dams from Rahway River and its branches, within the limits of the townships of Woodbridge and Rahway, in the counties of Essex and Middlesex,' approved March third, eighteen hundred and fifty-four.

RODMAN M. PRICE.

The bill from the House of Assembly entitled,

An act to incorporate the Lawrenceville, Berkley and Thoroughfare Turnpike Company,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Smith—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

Mr. Allen moved that the vote by which

The bill from the House of Assembly entitled

An act to incorporate the West Jersey and Philadelphia Pressed Brick Company,

Was considered and agreed to, and ordered to have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

The bill from the House of Assembly, entitled

A supplement to an act entitled 'an act incorporating Homestead and Building Companies,' approved February twenty-fifth, one thousand eight hundred and fifty-two,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Depew, Laird, Martin, Roberts, Swain—10.

NAYS—Messrs. I. Bonnell, Franklin, Howell, Hoxsey Rea, Robertson, Somers, Smith, Stults—9.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill from the House of Assembly, entitled

An act to improve the navigation of North and South, Shrewsbury Rivers, in the county of Monmouth,

Was taken up and read a third time,

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain —17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled,

A supplement to an act entitled 'An act to incorporate the Bridgeton and Milville Turnpike Company,' approved February seventh, eighteen hundred and fifty-four,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

Mr. Somers offered the following resolution:

Resolved, That when the Senate adjourns, it adjourn to meet again on Monday afternoon next, at three o'clock.

Which was read; and

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

AYES—Messrs. A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Hoxsey, Rea, Roberts, Robertson, Stults—10.

NAYS—Messrs. Alexander, (Pres.) Franklin, Howell, Laird, Martin, Smith, Swain—7.

So said resolution was agreed to.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly entitled

A supplement to the act entitled 'an act to incorporate the Ocean Port Steamboat Company,' approved March fifth, eighteen hundred and fifty-five.

Also,

The bill from the House of Assembly, entitled

An act supplementary to the act entitled 'an act to incorporate the New Jersey, Hudson and Delaware Railroad Company,' passed March eighth, eighteen hundred and thirty-two,

Reported the same, severally,
Without amendment.

The same Senator, from the majority of the Committee on Corporations, to which was referred

The bill from the House of Assembly entitled,

An act to incorporate the South Jersey Central and Air Line Railroad Company,

Reported the same without amendment, accompanied by the following resolution:

Resolved, That the bill be disagreed to, and that the Secretary be directed to return said bill to the House of Assembly, and inform them that the Senate have disagreed to the same.

Which was read, and

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Franklin, Laird, Stults, Swain—7.

NAYS—Messrs. Chetwood, Depew, Howell, Hoxsey, Martin, Rea, Roberts, Robertson, Somers, Smith—10.

So said resolution was not agreed to.

Mr. Smith, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to regulate the grading of the streets, paving and curbing in the town of Salem.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

Mr. Hoxsey, from the committee on the Judiciary, to which was referred

The bill from the House of Assembly, entitled

A further supplement to the act entitled 'an act to encourage the establishment of Mutual Loan and Building Associations,' approved the twenty-eighth day of February, eighteen hundred and forty-nine,

Reported the same,
Without amendment.

The same Senator, from the same Committee, to which was referred

The bill entitled,

An act to repeal a part of the act concerning inns and taverns, and for other purposes,

Reported the same,
With an amendment to the title and other amendments.

The same Senator, from the same Committee, to which was referred

The bill from the House of Assembly, entitled

An act to authorize the erection of a draw or swing bridge over the North Branch of Rancocas Creek,

Reported the same without amendment; but as no notice of such application appears to have been given, as required by law,

The same Senator moved that said bill be laid on the table until such notice be produced.

Which motion was agreed to, and the bill ordered to lay on the table.

The bill entitled,

Supplement to the act respesting Roads,

Was taken up, read a second time, considered by sections and agreed to, and ordered to be engrossed, and have a third reading.

The bill entitled,

An act to incorporate the Elizabethport Land Improvement and Manufacturing Company,

Was taken up, read a second time, and the first, second and third sections thereof considered, amended and agreed to.

The fourth section thereof as follows:

4. And be it enacted, That the said corporation be and they are hereby empowered to improve all such lands as they are hereby authorized to own or purchase, by laying out any portion of the same into lots, streets, squares, parks, lanes, alleys, and other divisions; also, to level, raise, and grade the same, and to make thereon all such docks, wharves and piers as they may deem desirable, but in such manner, nevertheless, as not to obstruct the navigation of the waters upon which they may be built; also, to build workshops, factories, warehouses, stores, and other buildings, and make such other improvements as may be deemed necessary, ornamental, or convenient; also, to let, rent, lease, mortgage, or sell the same, or use the same for agricultural or manufacturing purposes.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out all after the word *'built,'* in the seventh line of the printed bill.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Smith—7.

Nays—Messrs. Alexander, (Pres.) Chetwood, Cowperthwaite, Franklin, Howell, Martin, Somers, Stults, Swain—9.

So said amendment was not agreed to.

Said section was then agreed to.

The remaining sections of said bill were considered, amended and agreed to.

The title of said bill was then considered, amended and agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. Depew, from the Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 115. entitled

An act to encourage the emigration and settlement of the free people of color of New Jersey in Liberia,

Also,

Senate bill No. 54, entitled,

An act to incorporate the Passaic Paint Company.

DANIEL D. DEPEW,
Ch'm of said Committee.

March 16, 1855.

Mr. Hoxsey moved that the House of Assembly be requested to return to the Senate for further consideration

The bill from the House of Assembly, entitled,

A supplement to an act entitled 'an act to incorporate the Newark Plank Road and Ferry Company,' approved February twenty-fourth, eighteen hundred and forty-nine,

With the objections of His Excellency the Governor to the same.

The same Senator called for the reading of the opinion of the Attorney General as to the right of the Senate to re-consider said bill, which was laid before the Senate, and read as follows:

To the Hon. Wm. C. Alexander,

President of the Senate,

SIR—I have carefully examined the question whether the Senate has the constitutional right to re-consider the vote by

which the Plank Road Bridge bill passed that body on yesterday, notwithstanding the veto of the Governor.

I do not doubt that the Senate may re-consider that vote.—It is a mere act of legislation, and the grave character of the questions involved does not in any degree change the principle of legislation. I hold that the Senate, by the broad principle of parliamentary law, possesses the power to re-consider every question before that body, while according to their rules it is within their control. No rule of the Senate forbids the re-consideration, and parliamentary law sanctions it.

With high regard,
Y'r ob't serv't,
R. P. THOMPSON,
Att'y Gen'l.

Trenton, March 16, 1855.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Depew, Hoxsey, Laird, Rea, Roberts, Robertson, Somers—11.

NAYS—Messrs. Chetwood, Cowperthwaite, Franklin, Howell, Martin, Smith, Stults, Swain—8.

So said motion was agreed to.

Ordered, That the Secretary request the House of Assembly to return said bill, with the objections of the Governor thereto, to the Senate for further consideration.

The bill entitled

An act relative to the Princeton Bank,

Was taken up upon its second reading.

Mr. Allen moved that the vote by which the sixteenth, seventeenth and eighteenth sections were agreed to,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Mr. Hoxsey moved that the further consideration of said bill be postponed until Tuesday next.

Which motion was not agreed to.

The sixteenth section of said bill was then taken up, and pending the consideration of the same,

Mr. Hoxsey moved that the further consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Franklin, Hoxsey, Laird, Rea, Robertson, Somers, Smith,—9.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Martin, Roberts, Stults, Swain—6.

So said motion was agreed to, and the further consideration of said bill postponed accordingly.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 16, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has concurred in the amendments made in the Senate to section twenty and also to section twenty-one, in

The bill entitled,

An act to incorporate the city of Hoboken.

Also,

That the House of Assembly has disagreed to the amendments made by the Senate to the same bill, by the insertion of a new section to be called section sixty-nine, and also to the amendments by altering the numbers of sections sixty-nine, seventy and seventy-one.

P. D. VROOM, Clerk.

The bill from the House of Assembly entitled,

An act to incorporate the city of Hoboken,

With the amendments made thereto in the Senate, in which the House of Assembly refused to concur,

Was taken up, and

On motion of Mr. Robertson, the further consideration of the same postponed until Tuesday next.

The bill from the House of Assembly entitled,

An act to set off from the townships of Northampton, Southampton and Medford, in the county of Burlington, a new township, to be called the township of Lumberton,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled

An act to incorporate the Mount Holly and Eayrstown Turnpike Company,

Was taken up upon its second reading, and pending the reading of the same,

Mr. Smith moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—8.

Nays—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—10.

So said motion to adjourn was not agreed to.

The reading of said bill was then resumed, and pending the reading thereof,

Mr. Allen moved that the further consideration of the same be postponed for the present.

Which motion was agreed to, and the further consideration of the bill postponed accordingly.

Mr. Hoxsey moved that the resolution offered by Mr. Somers, and agreed to by the Sennte, 'That when the Senate adjourns it adjourn to meet again on Monday next at three o'clock,'

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

NAYS—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—9.

So said motion was not agreed to.

Mr. Chetwood moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—9.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

So said motion to adjourn was not agreed to.

Mr. Hoxsey offered the following resolution:

Resolved, That when the Senate adjourns, it adjourn to meet again at three o'clock this afternoon.

Which was read; and

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

NAYS—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—9.

So said resolution was not agreed to.

Mr. Howell moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Smith, Stults, Swain—8.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Roberts, Robertson, Somers—10.

So said motion was not agreed to.

Mr. Hoxsey offered the following resolution:

Resolved, That when the Senate adjourns it adjourn to meet again this afternoon at a quarter before three o'clock.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

NAYS—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith Stults, Swain—9.

So said resolution was not agreed to.

The bill entitled,

A further supplement to an act entitled 'an act for the relief of persons imprisoned on civil process,' approved April the sixteenth, eighteen hundred and forty-six,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed and have a third reading.

Mr. Hoxsey offered the following resolution:

Resolved, That when the Senate adjourns it adjourn to meet again this afternoon at a quarter past three o'clock.

Which was read, and

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

NAYS—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—9.

So said resolution was not agreed to.

Mr. Stults moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—9.

NAYS—Messrs. Alexander, (Pres.), Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

So said motion was not agreed to.

Mr. Hoxsey offered the following resolution:

Resolved, That when the Senate adjourns, it adjourn to meet again this afternoon, at ten minutes past three o'clock.

Which was read; and

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

NAYS—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—9.

So said resolution was not agreed to.

The bill from the House of Assembly, entitled,

An act to incorporate the Mount Holly and Eayrestown Turnpike Company,

Which was postponed, pending the reading of the same,

Was taken up, and the reading thereof resumed; and pending the reading,

On motion of Mr. Hoxsey, the further consideration of the same postponed for the present.

Mr. I. Bonnell offered the following resolution:

Resolved, That when the Senate adjourns, it adjourn to meet this afternoon, at twenty minutes past three o'clock.

Which was read; and

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

NAYS—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—9.

So said resolution was not agreed to.

Mr. A. V. Bonnell moved that the vote by which the House of Assembly was requested to return to the Senate for further consideration

The bill from the House of Assembly, entitled

A supplement to an act entitled "an act to incorporate the Newark Plank Road and Ferry Company," approved February twenty-fourth, eighteen hundred and forty-nine,

With the objections of his Excellency the Governor to the same,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Smith, Stults, Swain—8.

NAYS—Messrs. Alexander, (Pres.) Allen, I.Bonnell, Depew, Hoxsey, Laird. Rea, Roberts, Robertson, Somers—10.

So said motion was not agreed to.

The bill from the House of Assembly entitled,

An act to incorporate the Mount Holly and Eayrestown Turnpike Company,

Which was postponed pending the reading of the same,

Was taken up, and having been read a second time, considered by sections, and agreed to, was ordered to have a third reading.

Mr. I. Bonnell offered the following resolution :

Resolved, That when the Senate adjourns it adjourn to meet again at half past three o'clock this afternoon.

Which was read, and

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows :

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

NAYS—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—9.

So said resolution was not agreed to.

The bill from the House of Assembly, entitled

A snpplement to the act entitled 'an act to incorporate the Ocean Port Steamboat Company,' approved March fifth, eighteen hundred and fifty-five,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. Smith moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—9.

Nays—Messrs. Alexander, (Pres.), Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

So said motion was not agreed to.

Mr. Hoxsey moved that the Senate take a recess until three o'clock.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. Alexander, (Pres.), Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

Nays—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—9.

So said motion was not agreed to.

The bill from the House of Assembly, entitled

An act to incorporate the Columbus and Wrightstown Turnpike Company,

Was taken up, read a second time, and the first four sections considered and agreed to.

The fifth section thereof, as follows:

5. And be it enacted, That when two hundred shares of said stock be subscribed for, the said commissioners shall call a meeting of the stockholders, giving at least twenty days' notice of the time and place of said meeting, as hereinbefore directed with regard to the opening of said books, at which meeting the subscription books shall be laid before the stockholders, who shall thereupon proceed to elect, by ballot, nine directors, a majority of whom shall be citizens of this state, to manage the affairs of the said company for one year, of which election the said commissioners, or a majority of them, shall be judges; and at the expiration of that term, and annually thereafter, upon like notice to be given by the directors for the time being, the said stockholders shall elect, by ballot, the same number of directors, a majority of whom shall be citizens of this State, as aforesaid; and at every such election, and in all other cases in which the stockholders shall be ent'tled to vote, a vote may be given for each share by the holder

or holders thereof, either in person or by proxy; PROVIDED, NEVERTHELESS, that no stockholder shall have more than twenty votes, although he or she may have a greater number of shares.

Was then taken up, and pending the consideration thereof,

Mr. Stults moved that the further consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Chetwood, Franklin, Howell, Smith, Stults—5.

NAYS—Messrs. Allen, I. Bonnell, Depew, Hoxsey, Robertson, Somers—6.

So said motion was not agreed to.

The consideration of the fifth section was then resumed.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Alexander, (Pres), Allen, I. Bonnell, Depew, Franklin, Howell, Hoxsey, Robertson, Somers—9.

NAYS—Messrs. A. V. Bonnell, Chetwood, Martin, Smith, Stults—5.

So said section was agreed to.

Pending the consideration of the thirteenth section,

Mr. Allen moved that the further consideration of said section be postponed for the present.

Which motion was agreed to, and the section postponed accordingly.

Pending the consideration of the eighteenth section,

Mr. Hoxsey moved that the Senate be called; and the call being sustained and ordered,

The Secretary proceeded to call the Senate; when the fol-

lowing named Senators appeared in their seats, and answered the call:

Present—

—Messrs. Alexander, (Pres.) Allen, Chetwood, Depew, Franklin, Howell, Hoxsey, Martin, Robertson, Somers, Smith, Stults—12.

A quorum being present, all further proceedings under the call were dispensed with.

The consideration of said bill was then resumed, and the eighteenth section agreed to.

The remaining sections were then considered and agreed to.

The thirteenth section, which was postponed, pending the consideration thereof, was then taken up, amended and agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, the amendments were ordered to be engrossed, and the bill to have a third reading.

Mr. Howell moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Chetwood, Franklin, Howell, Martin, Smith, Stults—6.

NAYS—Messrs. Alexander, (Pres.) Allen, Depew, Hoxsey, Robertson, Somers—6.

Mr. Hoxsey moved that the Senate be called; which being ordered,

The Secretary proceeded to call the Senate; when the following named Senators appeared in their seats, and answered the call:

Present—

Messrs. Alexander, (Pres.) Allen, Chetwood, Depew, Franklin,

Howell, Hoxsey, Martin, Robertson, Somers, Smith, Stults—12.

A quorum being present, all further proceedings under the call were dispensed with.

Mr. Allen moved that

The bill from the House of Assembly entitled,

An act to incorporate the Mount Holly and Tuckerton Railroad Company,

Be taken up, and placed upon its final passage.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Mr. Allen—1.

Nays—Messrs. Alexander, (Pres.) Chetwood, Franklin, Howell, Smith, Stults—6.

So said motion was not agreed to.

The same Senator moved that bills upon their second reading be now taken up.

Which motion was agreed to.

The bill from the House of Assembly, entitled,

An act to authorize the removal of a certain Railroad Track from certain parts of the city of Newark,

Was then taken up upon its second reading.

Mr. Hoxsey moved that the Senate disagree to said bill, and that the Secretary return it to the House of Assembly.

Pending the consideration of said motion,

Mr. Stults moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Chetwood, Franklin, Howell, Martin, Smith, Stults—6.

NAYS—Messrs. Alexander, (Pres.), Depew, Hoxsey, Laird, Robertson, Somers—6.

So said motion to adjourn was not agreed to.

The consideration of the motion of Mr. Hoxsey, that the Senate disagree to said bill, was then resumed.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Depew, Hoxsey, Laird, Robertson, Somers —5.

NAYS—Messrs. Alexander, (Pres.) Chetwood, Franklin, Howell, Martin, Smith, Stults,—7.

So said motion was not agreed to.

On motion of Mr. Chetwood, the further consideration of said bill was postponed for the present.

Mr. Laird offered the following resolution:

Resolved, That the Senate take a recess of 30 minutes.

Which was read; and

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Robertson, Somers—6.

NAYS—Messrs. Chetwood, Franklin, Howell, Martin, Smith, Stults—6.

So said resolution was not agreed to.

Mr. Chetwood moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Chetwood, Franklin, Howell, Smith, Stults—5.

Nays—Messrs. Alexander, (Pres.), Depew, Hoxsey, Laird, Martin, Robertson, Somers—7.

So said motion was not agreed to.

Mr. Franklin offered the following resolutions:

Resolved, That a committee of eleven members of the Senate be appointed to procure a sutler, to supply the Senate with the necessary board and lodging for the remainder of the session.

Resolved, That said refreshments be furnished in the Rotunda of the Capitol, at the expense of the State.

Resolved, That the committee above named be dispatched immediately, for the purpose of accomplishing the above named object.

Which were read.

Mr. Hoxsey moved to lay the same on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Depew, Franklin, Howell, Hoxsey, Laird, Robertson, Somers—8.

NAYS—Messrs. Chetwood, Smith, Stults—3.

So said motion was agreed to.

Mr. Robertson moved that the Senate go into executive session.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

NAYS—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—9.

So said motion was not agreed to.

Mr. Allen moved that the Senate calendar of bills upon their second reading be called.

Which motion was agreed to.

The bill entitled

A supplement to the act to regulate Elections, approved April sixteenth, eighteen hundred and forty-six,

Was then taken up, read a second time, considered by sections and agreed to.

Mr. Franklin moved that the vote by which the first section thereof was agreed to,

Be re-considered, for the purpose of amending the same.

Which motion was agreed to, and the vote re-considered accordingly.

The first section was then taken up; and pending its consideration,

Mr. Franklin moved that the further consideration of said bill be postponed for the present, pending the consideration of said motion.

Mr. Stults moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Roberts, Smith, Stults, Swain—8.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Rea, Robertson, Somers—8.

So said motion to adjourn was not agreed to.

The consideration of the motion to postpone the further consideration of said bill for the present was then resumed, and pending the consideration of the same,

Mr. A. V. Bonnell moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—9.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

So said motion to adjourn was not agreed to.

Mr. Franklin then withdrew his motion to postpone the further consideration of said bill for the present, and moved that the further consideration of the same be postponed until Tuesday next.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—11.

NAYS—Messrs. I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—7.

So said motion was agreed to, and the further consideration of said bill postponed accordingly.

Mr. Howell moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—8.

NAYS—Messrs. Alexander, (Pres.) Allen, Depew, Hoxsey, Laird, Rea, Robertson, Somers—8.

So said motion was not agreed to.

Mr. Allen moved that the Senate now proceed to the consideration of bills upon their third reading.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, Depew, Hoxsey, Laird, Martin, Rea, Robertson, Somers—9.

NAYS—Messrs. Chetwood, Franklin, Howell, Roberts, Smith, Stults, Swain—7.

So said motion was agreed to.

The bill from the House of Assembly entitled,

An act to incorporate the Mount Holly and Tuckerton Railroad Company,

Was then taken up upon its third reading, and pending the reading of the same,

On motion of Mr. Allen the further consideration of the same was postponed for the present.

On motion of Mr. Robertson,

The Senate then adjourned.

MONDAY, March 19, 1855.

At 3 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of the previous day was read and approved.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill entitled,

An act to prevent the issue or circulation of small bank notes,

Reported the same,
Without amendment.

The bill from the House of Assembly entitled

An act to incorporate the Mount Holly and Eayrstown Turnpike Company,

Was taken up and read a third time,

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

Ayes—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Martin, Roberts, Robertson, Somers, Stults, Swain—12.

Nays—Mr. Smith—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

A message was received from His Excellency, the Governor by the hands of Mr. Shreve, his private Secretary, and read as follows:

State of New Jersey,
Executive Department,

Trenton, March 19, 1855.

Hon. Wm. C. Alexander,
President of the Senate,

SIR—I have this day signed and approved the following bills which originated in your House:

An act to simplify the Pleadings and Practice in Courts of Law;

Also,

A further supplement to the act entitled 'An act respecting the Orphans' Court, and the power and authority of Surrogates.

Also,

A supplement to the act entitled "an act to incorporate the Hoboken Land and Improvement Company," passed the twenty-first day of February, Anno Domini eighteen hundred and thirty-eight;

Also,

A supplement to an act entitled "an act to incorporate the White Horse Turnpike Company."

Also,

Supplement to an act entitled 'An act to incorporate the Burlington Gas Light Company,' approved the tenth day of March, one thousand eight hundred and fifty-two;

Also,

A further supplement to the act approved April fifteenth eighteen hundred and forty-six, and entitled "an act to prevent in certain cases the abatement of suits and reversal of Judgments.

Also,

An act to secure to the owners, lumber found adrift in the river Delaware;

Also,

An act to authorize the sale of perishable property transported on canals and railways in certain cases;

Also,

An act to authorize the Trustees of the incorporated districts of Chester to sell their School House and Lot.

Also,

A further supplement to an act entitled 'An act to incorporate the Sussex Zinc and Copper Mining and Manufacturing Company,' approved February twenty-third, eighteen hundred and forty-eight;

Also,

An act to incorporate the Passaic Paint Company.

Also,

A supplement to the act entitled 'An act for the relief of the State of New Jersey, in relation to the estate of John G. Leake, deceased, passed the fifteenth day of March, in the year of our Lord, one thousand eight hundred and thirty-seven,

Also,

A further supplement to the act entitled "An act to incorporate the City of Paterson," approved March nineteenth, eighteen hundred and forty-one:

RODMAN M. PRICE.

A message was also received from His Excellency the Governor, by the hands of Mr. Shreve, his private Secretary, as follows:

STATE OF NEW-JERSEY,
Executive Department.
Trenton, March 19, 1855.

To the Hon. Wm. C. Alexander,

President of the Senate,

Sir—I herewith return the act entitled 'an act for incorporating Vessel Building Associations,' which originated in the Senate, for re-consideration, objecting to approve the same.

The act is general in its application, and the object contemplated by it is fully provided for in the law approved March 2,

1849, entitled 'an act to authorize the establishment, and to prescribe the duties, of companies for manufacturing purposes;' which act properly restricts associations organizing under it, by requiring a portion of the stock to be paid in before the commencement of business; whilst the act herewith returned is entirely unrestricted, besides conferring by the 8th section the most unprecedented and extraordinary power of authorizing minors to hold and transfer stock, contrary to the existing statute laws of this State.

RODMAN M. PRICE.

Which was read, and the bill and message ordered to lie on the table.

Mr. I. Bonnell moved that the vote by which

The bill from the House of Assembly entitled,

A supplement to an act entitled 'an act incorporating Homestead and Building Companies, approved February twenty-fifth, eighteen hundred and fifty-two,

Was disagreed to upon its final passage,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

The bill entitled,

An act to repeal the act entitled 'an act to protect fish in the Swartwout pond, in the county of Sussex,'

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to be engrossed, and have a third reading.

The bill entitled,

A further supplement to the act entitled 'an act to incorporate the city of Paterson,' approved March nineteenth, A. D., eighteen hundred and fifty-one,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed and have a third reading.

Mr. Hoxsey moved that the further consideration of

The bill entitled,

An act in relation to writs of certiorari to remove taxes and assessments,

Be indefinitely postponed.

Which motion was agreed to, and the bill postponed accordingly.

The bill from the House of Assembly, entitled

An act to incorporate the town of Bergen, in the county of Hudson,

Was taken up, read a second time, considered by sections, amended and agreed to, the amendments ordered to be engrossed, and the bill to have a third reading.

The bill entitled,

An act making a further appropriation for the prosecution of the geological survey of this State,

And the amendments made thereto in the House of Assembly,

Were taken up, and the amendments read.

Mr. Hoxsey moved to amend said amendments by striking out the word '*and*,' in the last line of the second section, and adding at the end of the line the words '*and Paterson.*'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Hoxsey, Martin, Roberts, Robertson, Somers, Smith, Swain—12.

NAYS—Mr. Stults—1.

So said amendment was agreed to, and the amendments, as

amended, concurred in, and the amendments to the amendments ordered to be engrossed, and have a third reading.

On motion of Mr. Chetwood,

The Senate then adjourned.

TUESDAY, March 20, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Geissenheimer.

The journal of the previous day was read and approved.

Mr. Allen offered the following resolution:

Resolved, That the Senate will be ready to go into joint meeting on Thursday, the 29th day of March, instant, at 11 o'clock, A.M., in the Assembly Room, for the appointment of State Treasurer, Keeper of the State Prison, and such other officers as may be deemed necessary.

Which was read.

Mr. Hoxsey moved that the resolution lie on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.)A. V. Bonnell, I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Roberts, Robertson, Somers—10.

NAYS—Messrs. Allen, Chetwood, Cowperthwaite, Martin, Smith, Stults, Swain—7.

So said motion was agreed to, and the resolution ordered to lie on the table.

Mr. Stults, from the Committee on Engrossed Bills, reported that they had examined

The amendments made in the Senate to

The bill from the House of Assembly, entitled,

An act to incorporate the town of Bergen, in the county of Hudson.

Also,

The bill entitled,

An act to repeal the act entitled 'an act to protect fish in Swartwout pond, in the county of Sussex,'

Also,

The bill entitled,

A further supplement to an act entitled 'an act for the relief of persons imprisoned on civil process,' approved April the sixteenth, eighteen hundred and forty-six,

Also,

The bill entitled,

A further supplement to an act entitled "an act concerning Roads,' approved April sixteenth, eighteen hundred and forty-six,

Also,

The bill entitled,

An act to incorporate the Elizabethport Land Improvement and Manufacturing Company,

Also,

The bill entitled,

A further supplement to the act entitled 'an act to incorporate the city of Paterson,' approved March nineteenth, A. D., eighteen hundred and fifty-one,

And find the same to be severally correctly engrossed.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 16, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill from the Senate, entitled

An act for the promotion of the agricultural interests of this state;

Also,

The bill from the Senate, entitled

An act to incorporate the Somerset County Agricultural Society;

Without amendment.

Also,

The bill from the Senate, entitled

An act in relation to the census, or enumeration of the inhabitants of this state;

With sundry amendments, in which amendments the concurrence of the Senate is requested.

I am also directed to inform the Senate that the House of Assembly has passed the following concurrent resolution:

Resolved, (Senate concurring,) that this Legislature will adjourn *sine die* on Thursday the 29th inst.

In which the concurrence of the Senate is requested.

P. D.VROOM, Clerk.

The bill entitled,

An act for the promotion of the agricultural interests of this state;

Also,

The bill entitled,

An act to incorporate the Somerset County Agricultural Society;

Also,

The bill entitled,

An act to authorize the inhabitants of the township of Bernards, in the county of Somerset, to vote by ballot at their town meetings,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

'I certify that this bill originated in the Senate.'

A. R. THROCKMORTON,
Secretary of Senate.

The engrossed bill entitled,

A further supplement to the act entitled 'an act for the relief of persons imprisoned on civil process,' approved April sixteenth, eighteen hundred and forty-six,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Hoxsey, Laird, Martin, Roberts, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A further supplement to the act entitled "An act to incorporate the City of Paterson," approved March nineteenth, eighteen hundred and forty-one:

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Hoxsey, Laird, Martin, Roberts, Robertson, Somers, Smith, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to repeal the act entitled 'an act to protect fish in the Swartwout pond, in the county of Sussex,'

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Hoxsey, Laird, Martin, Roberts, Robertson, Somers, Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled

An act to incorporate the Port Monmouth Association for building on and improving certain lands located at Port Monmouth, in the county of Monmouth,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly, as amended, pass?

It was decided in the affirmative, as follows:

AYES—Messrs. A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Laird, Martin, Roberts, Somers, Smith, Stults, Swain—13.

NAYS—Mr. Hoxsey—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

Mr. Bramhall moved that the vote by which

The bill from the House of Assembly, entitled

An act to incorporate the town of Bergen, in the county of Hudson,

Was ordered to have a third reading,

Be re-considered.

Which motion was agreed to, the vote re-considered, and the bill ordered to stand upon its second reading.

The bill from the House of Assembly, entitled

A further supplement to the act entitled 'an act against Usury,' approved April tenth, eighteen hundred and forty-six,'

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass ?

It was decided in the negative, as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Depew, Hoxsey, Laird, Somers, Smith, Swain—10.

NAYS—Messrs. Allen, A. V. Bonnell, Cowperthwaite, Martin, Roberts, Robertson, Stults, —7.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill from the House of Assembly entitled

A further supplement to an act to authorize the inhabitants of the township of Bloomfield, in the county of Essex, to raise money for the support of free schools, approved March first, eighteen hundred and forty-nine,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Laird, Martin, Roberts, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled

An act to incorporate the Columbus and Wrightstown Turnpike Company;

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Franklin, Hoxsey, Laird, Martin, Roberts, Robertson, Somers Smith, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly entitled

A supplement to the act entitled 'an act to incorporate the Ocean Port Steamboat Company,' approved March fifth, eighteen hundred and fifty-five.

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Franklin, Laird, Martin, Roberts, Robertson, Somers, Smith, Stults, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The concurrent resolution from the House of Assembly, as follows:

Resolved (Senate concurring), That this Legislature will adjourn *sine die* on Thursday, the 29th instant,

Was taken up and read.

Mr. Bramhall moved that the Senate concur in said concurrent resolution.

Mr. Allen moved that the further consideration of said resolution be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Franklin, Martin, Roberts, Smith, Stults, Swain—8.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Cowperthwaite, Depew, Hoxsey, Laird, Robertson, Somers—9.

So said motion was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to the motion that the Senate concur in said concurrent resolution, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Cowperthwaite, Depew, Hoxsey, Laird, Robertson, Somers, Swain—10.

NAYS—Messrs. Allen, A. V. Bonnell, Franklin, Martin, Roberts, Smith, Stults—7.

So said motion was agreed to, and the resolution concurred in.

Ordered, That the Secretary inform the House of Assembly that the Senate has concurred in said concurrent resolution to adjourn *sine die* on Thursday, the 29th instant.

The bill entitled,

An act in relation to the Census or Enumeration of the Inhnbitants of this State,

And the amendments made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill from the House of Assembly, entitled

An act to incorporate the city of Hoboken,

And the amendments thereto in the Senate, which were disagreed to by the House of Assembly,

Were taken up and read; and

On motion of Mr. Bramhall, the Senate refused to recede from the amendments made by the Senate to said bill.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate *adhere* to the amendments made by the Senate to said bill.

The bill entitled,

A supplement to the 'act to regulate elections,' approved April sixteenth, eighteen hundred and forty-six,

Which was postponed some days since, pending the consideration of the first section thereof, until to-day,

Was taken up; and the amendments proposed to the first section having been withdrawn,

Mr. Hoxsey moved to strike said bill from the files of the Senate.

Mr. Allen moved that the further consideration of the bill be postponed for the present.

Mr. Hoxsey moved to amend said motion by striking out the words, '*for the present,*' and inserting in the place thereof the words, '*to the next session of the Legislature.*'

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Robertson, Somers—7.

NAYS—Messrs. Allen, A. V. Bonnell, Cowperthwaite, Franklin, Martin, Roberts, Smith, Stults, Swain—9.

So said amendment was not agreed to.

The question recurring upon the motion to postpone the further consideration of said bill for the present, and

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Franklin, Martin, Roberts, Robertson, Smith, Stults, Swain—13.

Nays—Messrs. Hoxsey Somers—2.

So said motion was agreed to, and the further consideration of said bill postponed for the present.

Mr. Roberts gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Delaware and Hudson Telegraph Company;

Also,

A bill entitled,

An act authorizing the owners of real estate to convey the same, reserving thereout a yearly ground rent.

The bill entitled,

An act relative to the Princeton Bank,

Which was postponed on Friday last, pending the consideration of the sixteenth section thereof,

Was taken up.

Mr. Hoxsey moved that the further consideration of said bill be postponed until notice of the application for said law be produced, as required by the statute.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Mrssrs. Bramhall, Depew, Hoxsey, Robertson, Somers, Smith, Swain—7.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, L. Bonnell, Chetwood, Franklin, Martin, Roberts, Stults—9.

So said motion was not agreed to.

The same Senator moved that the further consideration of said section be postponed until Friday next, to allow the applicants for said bill time to produce such notice.

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers, Smith, Swain—8.

NAYS—Messrs. Allen, A. V. Bonnell, L. Bonnell, Chetwood, Franklin, Laird, Martin, Roberts, Stults—9.

So said motion was not agreed to.

The same Senator moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Robertson, Somers, Smith—9.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Franklin, Martin, Roberts, Stults, Swain—8.

So said motion was agreed to, and

Thereupon the Senate adjourned.

At three o'clock the Senate met.

Mr. Smith presented a petition from Elisha Bassett and others, citizens of the town of Salem, in favor of the passage of the law authorizing the appointment of three judicious commissioners of the township of Salem, whose duty it shall be to regulate the grades of the gutters and curbs in said town.

Which was referred to the Committee on Municipal Corporations without reading.

The same Senator presented a petition from J. Ingham and others, citizens of the town of Salem, upon the same subject.

Which was referred to the same Committee without reading.

The engrossed bill entitled,

An act to provide means for draining the meadows and low lands on Salem Creek, in the town of Salem,

Was taken up upon its final passage.

Mr. Smith moved that the further consideration of said bill be postponed to the next session of the Legislature.

Which motion was agreed to, and the further consideration of said bill postponed accordingly.

The bill entitled,

An act relative to the Princeton Bank,

Being the unfinished business of the morning,

Was taken up, and the sixteenth, seventeenth and eighteenth sections thereof considered, amended and agreed to.

Mr. Allen moved to amend said bill by adding a new section, to be called section nineteen, as follows—

19. And be it enacted, That in case of an action or suit at law against any director or directors, stockholder or stockholders, under any of the preceding sections of this act, the receiver or receivers may declare generally for money had and received: Provided, That a schedule shall be annexed to the said declaration, setting forth that the said action or suit is under and by virtue of the provisions of this act, specifying the aggregate amount claimed, the names of the president and cashier subscribed to the bills or notes declared on, and the numbers and denominations thereof.

Which was read, considered and agreed to.

The same Senator moved to amend said bill by adding a new section, to be called section twenty, as follows—

20. And be it enacted, That the bills or notes issued by said corporation shall not at any time exceed double the amount of its capital stock actually paid in; and if the president or cashier thereof shall knowingly or willfully issue, or cause or suffer to be issued, bills or notes of said corporation exceeding double the amount of its capital stock actually paid in,

such president or cashier shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment not less than one year nor more than five years, in the discretion of the court.

Which was read, considered and agreed to.

The same Senator moved to amend said bill by adding a new section to be called section twenty-one, as follows—

21. And be it enacted, That it shall be the duty of said corporation, on the first Monday of every month, after commencing the business of banking, to publish, in at least one newspaper published in the county of Mercer, a statement, under oath or affirmation, of the actual condition of said corporation, conforming, as nearly as may be, with the annual statements now required by law, and shall, within ten days after making such statement, forward a duplicate thereof to the Secretary of State, to be by him filed in his office; and if any president, cashier, or director shall knowingly and willfully falsely swear or affirm to any such statement, he shall be deemed guilty of perjury, and be liable to the pains and penalties thereof.

Which being read,

Mr. Hoxsey moved to substitute in the place thereof the following section, to be called section twenty-one—

And be it enacted, That it shall be the duty of said bank, upon the first Monday of each and every month, to prepare a statement of the actual condition of said bank, and which said statement shall be verified by the oath of the president and cashier of said bank, and shall contain—

First, The gross amount of discounts of said bank at the time of such statement;

Second, The amount of such discounts made to citizens of this State, and also the amount loaned to citizens non-resident of this State—in both cases designating what portion of such discounts may be good, doubtful, or bad;

Third, The gross amount of the circulation of said bank, in which shall be included all of the bills of said bank that have passed out of the actual possession of said bank for any purpose whatever;

Fourth, The avarage amount of specie of said bank for the preceding month, the actual property of said bank;

Fifth, The names of the directors of said bank for the time being.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Hoxsey, Laird, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Smith, Stults, Swain—10.

So said substitute was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said new section, were as follows :

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Smith, Stults, Swain—12.

NAYS—Messrs. Bramhall, Depew, Hoxsey, Robertson—4.

So said section was agreed to.

The nineteenth section of said bill as follows—

19. AND BE IT ENACTED, That this act shall be deemed and considered a public act, and shall go into effect immediately, and continue in force for twenty years; but it shall be lawful for the Legislature, at any time hereafter, to alter, modify, or repeal the same, whenever in their opinion the public good shall require it.

Was then taken up, and being under consideration,

Mr. Allen moved to amend said section by changing the same to section twenty-two.

Mr. Hoxsey moved to substitute in the place thereof a new section twenty-two, as follows—

22. AND BE IT ENACTED, That each and every one of the directors of said bank shall, before he or they shall be eligible to the office of director, or be appointed a director, own in his own right, free and clear of all liens and incumbrances thereon, the sum of twenty-five hundred dollars in the capital stock of said bank; and no bill, bond, or other security for the payment of money, shall be discounted by said bank, except the majority of the Board of Directors shall be present assenting thereto; and in case any note, bill, bond, or other security, shall be discounted, or money loaned thereon, except by and with the consent of the majority of the said Board

of Directors as aforesaid, the president, cashier, and directors assenting to such loan, and making the same, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by fine and imprisonment, at the discretion of the court before whom such conviction may be had.

The ayes and nays being demanded and ordered upon the question of agreeing to said substitute, were as follows:

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Laird, Robertson, Somers, Smith—8.

Nays—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Stults, Swain—10.

So said substitute was not agreed to.

The same Senator then moved to substitute in the place thereof a new section to be called section twenty-two, as follows:

22. AND BE IT ENACTED, That it shall be the duty of said bank to publish, in some newspaper published in the county of Mercer, once in each month, the names of all persons who have procured discounts from said bank, with the amount of such discount opposite the name of such person, the time for which the note, bill, or bond discounted may have to run, and with such monthly publication the names of the directors for the time being of said bank.

The ayes and nays being demanded and ordered upon the question of agreeing to said substitute, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey, Laird, Robertson—5.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Roberts, Smith, Stults, Swain—12.

So said substitute was not agreed to.

The motion to change said section nineteen to section twenty-two was then agreed to, and the section as amended agreed to.

Mr. Allen moved to re-consider the vote by which the sixteenth section was agreed to.

Which motion was agreed to, and the vote re-considered accordingly.

The sixteenth section of said bill as follows—

16. AND BE IT ENACTED, That all the directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation which may be in circulation at the time of its becoming insolvent, and may be jointly or severally prosecuted, at law or in equity, by any receiver or receivers that shall or may be appointed, for the payment of any such bills or notes, as if the same were their joint and several bills or notes, executed by them in their individual capacity; and it shall not be lawful for any director of said corporation to resign his office to avoid such liability; and if any director shall so attempt to resign his office, he shall be and continue liable the same as if no such resignation had been attempted; and such liability of directors shall continue after they cease to be directors, either by resignation or otherwise, if the said corporation was insolvent when they ceased to be directors; and it shall not be lawful for any director to assign or transfer his stock or property to avoid such liability; and in case of the payment of any such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other: PROVIDED, That no property that shall or may be levied on, or taken in execution, under and by virtue of any judgment or decree in favor of any receiver or receivers, under the provisions of this act, shall be sold until after the expiration of four months from the date of said judgment or decree.

Being under consideration,

Mr. Allen moved to amend the same by inserting after the word directors, in the first line, the words, 'and a majority of the stockholders.'

Mr. Hoxsey moved to amend said amendment by striking out the word 'majority.'

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Cowperthwaite, Depew, Hoxsey, Laird, Robertson, Somers, Smith—9.

NAYS—Messrs. Allen, A. V. Bonnell, I.Bonnell, Chetwood, Franklin, Martin, Roberts, Stults, Swain—9.

So said amendment to the amendment was not agreed to.

The amendment to the sixteenth section was then agreed to, and the section as amended agreed to, and the bill ordered to be engrossed and have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows:

HOUSE OF ASSEMBLY, March 20, 1855.

Mr. President:—

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

A further supplement to an act entitled 'an act to incorporate the city of Newark;

Also,

The bill entitled,

An act relating to the Hudson Brigade;

Also,

The bill entitled

A supplement to the act authorizing the inhabitants of the several townships to vote by ballot;

Also,

The bill entitled,

An act to establish an independent battallion in the city of Newark;

Also,

The bill entitled,

A supplement to an act entitled 'an act for the government and regulation of the State Prison,' approved April sixteenth, eighteen hundred and forty-six;

Also,

The bill entitled,

A further supplement to the act entitled 'an act for the preservation of Sheep,' approved April fourteenth, eighteen hundred and forty-six;

Also,

The bill entitled,

A further supplement to the act entitled 'an act respecting public schools in the city of Trenton,' approved March sixth, one thousand eight hundred and fifty;

Also,

The bill entitled,

Supplement to an act entitled 'an act to authorize the inhabitants of School District No. 3, in Union township, Camden county, to raise money to build school-houses, and for the support of Public Schools,' approved March seventh, eighteen hundred and fifty;

Also,

The bill entitled,

Supplement to the act entitled 'an act to establish a State Normal School,' approved February eighth, eighteen hundred and fifty-five;

Also,

The bill entitled,

An act to enable the Trustees of the Newark Academy more efficiently to promote the objects of their Institution;

Also,

The bill entitled,

An additional supplement to an act entitled 'an act to incor-

porate the Belleville Railroad and Transportation Company,' passed February sixteenth, eighteen hundred and thirty-six;

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has concurred in the amendments made by the Senate to

The bill entitled,

A supplement to the act entitled 'an act for the punishment of Crimes;'

Also, to

The bill entitled,

An act to extend the provisions of the act entitled 'an act to prevent horses, cattle, sheep and swine from running at large in the townships of Hackensack and Harrington, in the county of Bergen,' approved February twelfth, eighteen hundred and fifty-two, to certain townships in the counties of Essex, Middlesex and Bergen,

And has caused said bills to be re-engrossed, the amendments to be embodied therein, and have passed the same.

P. D.VROOM, Clerk.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled,

An act in relation to the census, or enumeration of the inhabitants of this state;

Also,

The amendments made in the Senate to

The amendments made in the House of Assembly to

The bill entitled,

An act making a further appropriation for the prosecution of the geological survey of this State,

And find the same to be severally correctly engrossed.

Mr. Hoxsey moved that the vote by which the amendments made in the Senate to

The amendments made in the House of Assembly to

The bill entitled,

An act making a further appropriation for the prosecution of the geological survey of this State,

Were ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator moved that the vote by which

The amendments made in the Senate to

The amendments made in the House of Assembly to said bill were agreed to,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

The amendments made in the House of Assembly to said bill were then concurred in, the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill from the House of Assembly, entitled

An additional supplement to the act entitled 'an act to incorporate the Belleville Railroad and Transportation Company,' passed February sixteenth, eighteen hundred and thirty-six,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

A further supplement to the act authorizing the inhabitants of the several townships to vote by ballot,

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly, entitled,

A further supplement to an act entitled 'an act to incorporate the city of Newark,'

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The bill from the House of Assembly entitled,

An act relating to the Hudson Brigade,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Militia.

The bill from the House of Assembly, entitled

An act to establish an Independent Battalion in the city of Newark,

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Militia.

The bill from the House of Assembly entitled,

A supplement to an act entitled 'an act for the government and regulation of the State Prison,' approved April sixteenth, eighteen hundred and forty-six,

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly, entitled

The bill from the House of Assembly, entitled,

A further supplement to the act entitled 'an act for the preservation of Sheep,' approved April fourteenth, eighteen hundred and forty-six;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture.

The bill from the House of Assembly entitled,

A further supplement to the act entitled 'an act respecting public schools in the city of Trenton,' approved March sixth, one thousand eight hundred and fifty;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Education.

The bill from the House of Assembly entitled

Supplement to an act entitled 'an act to authorize the inhabitants of School District No. 3, in Union township, Camden county, to raise money to build school-houses, and for the support of Public Schools,' approved March seventh, eighteen hundred and fifty;

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on Education.

The bill from the House of Assembly entitled,

Supplement to the act entitled 'an act to establish a State Normal School,' approved February eighth, eighteen hundred and fifty-five;

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the committee on Education.

The bill from the House of Assembly entitled

An act to enable the Trustees of the Newark Academy more efficiently to promote the objects of their Institution;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

On motion of Mr. Allen,

The bill entitled,

An act incorporating Vessel Building Associations,

Which was returned to the Senate yesterday by the Governor, with his objections thereto,

Was taken up for re-consideration.

Said bill, with the objections of the Governor to the same, having been read and re-considered,

Upon the question,

Shall this bill again pass?

It was decided in the negative, as follows:

AYES—Mr. Smith—1.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Hoxsey, Laird, Martin, Roberts, Robertson, Somers, Stults, Swain—16.

Mr. Allen moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

The bill entitled,

An act for incorporating Vessel Building Associations,

Which was read for the first time by its title, ordered to

have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly, entitled,

An act to widen and regulate the draws in the bridges over the Passaic River,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres), A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Roberts, Robertson, Somers, Smith, Stults, Swain—17.

NAYS—Mr. Allen—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill entitled,

An act to incorporate the City Bank of Perth Amboy,

Was taken up upon its second reading.

The twelfth section thereof, as follows:

12. AND BE IT ENACTED, That the directors shall be all residents of this State, and shall be liable, jointly and severally, for the whole amount of notes in circulation to such person or persons as may be bona fide holder or holders of the same at the time of insolvency, and may be prosecuted, jointly or severally, at law or in equity, by such holder or holders of notes, as if the same were the joint or several individual bills or notes of such directors; and no director shall avoid the liability hereby incurred by re-

signing his office with such fraudulent intent; but no suit shall be commenced by virtue of this section, until six months from the insolvency of the company shall have elapsed.

Being under consideration,

Mr. Stults moved to strike out said section, and substitute a new section in the place thereof, to be called section twelve, as follows—

12. And be it enacted, That all the directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation which may be in circulation at the time of its becoming insolvent, and may be jointly or severally prosecuted, at law or in equity, by any receiver or receivers that shall or may be appointed, for the payment of any such bills or notes, as if the same were their joint and several bills or notes, executed by them in their individual capacity; and it shall not be lawful for any director of said corporation to resign his office to avoid such liability; and if any director shall so attempt to resign his office, he shall be and continue liable the same as if no such resignation had been attempted; and such liability of directors shall continue after they cease to be directors, either by resignation or otherwise, if the said corporation was insolvent when they ceased to be directors; and it shall not be lawful for any director to assign or transfer his stock or property to avoid such liability; and in case of the payment of any such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other: Provided, That no property that shall or may be levied on, or taken in execution, under and by virtue of any judgment or decree in favor of any receiver or receivers, under the provisions of this act, shall be sold until after the expiration of four months from the date of said judgment or decree.

Which motion was agreed to, and the section substituted agreed to.

The thirteenth section of said bill as follows—

13. And be it enacted, That in case of an action at law under the last above mentioned section of this act, the plaintiff or plaintiffs may declare generally for money had and received; but in all suits, at law or in equity, a schedule shall be annexed to the declaration or bill, setting forth that the action is by virtue of and under the provisions of this act, and is brought by holder or holders of notes at the time of insolvency, and shall

specify the dates, sums, payees, and numbers of the notes or bills upon which suit is brought.

Being under consideration,

Mr. Stults moved to substitute in the place thereof the following section, to be called section thirteen—

13. AND BE IT ENACTED, That if the assets of said corporation, and the property of said directors, shall prove insufficient to redeem the whole of the said bills and notes, then the amount that shall or may be realized from said assets and property shall be distributed rateably among the holders of the said bills and notes.

Which motion was agreed to, and the section substituted agreed to.

The fourteenth section of said bill as follows—

14. AND BE IT ENACTED, That the bills or notes to be issued by the corporation shall not exceed at any time double the amount of capital stock actually paid in; and if it should so happen knowingly or willfully, the officers so issuing more than double such amount shall be guilty of a misdemeanor, and on conviction shall be punished by fine, not exceeding five thousand dollars.

Was then taken up, and being under consideration,

Mr. Stults moved to strike out said section, and substitute in the place thereof a new section to be called section fourteen, as follows—

14. AND BE IT ENACTED, That the stockholders of said corporation, at the time of its becoming insolvent, other than said directors, shall be jointly and severally liable to any receiver or receivers that shall or may be appointed as aforesaid, to an amount sufficient to redeem the said bills and notes, after the assets of said corporation and the property of said directors shall have been distributed as aforesaid: PROVIDED, That no stockholder other than said directors shall be made liable to an amount exceeding the par value of the stock held by him at the time said corporation becomes insolvent; and if that amount shall not be required for the full redemption of said bills and notes, then the said stockholders shall be liable in the ratio of the said stock so held by them, and it shall not be lawful for any such stockholder to assign or otherwise transfer his stock or other property to avoid such liability.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Smith, Stults, Swain, —11.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers—6.

So said section was agreed to.

Mr. Stults moved to add a new section, to be called section fifteen, as follows—

15. AND BE IT ENACTED, That in case of an action or suit at law against any director or directors, stockholder or stockholders, under any of the preceding sections of this act, the receiver or receivers may declare generally for money had and received: PROVIDED, That a schedule shall be annexed to the said declaration, setting forth that the said action or suit is under and by virtue of the provi ons of this act, specifying the aggregate amount claimed, the names of \ e president and cashier subscribed to the bills or notes declared on, and the numbers and denominations thereof.

Mr. Hoxsey moved to amend said section by striking out in the seventh line thereof the words, 'and the numbers.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Robertson, Somers—7.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Smith, Stults, Swain—10.

So said motion to amend was not agreed to.

Said section was then agreed to.

Mr. Stults moved to add a new section, to add a new section sixteen, as follows—

16. AND BE IT ENACTED, That the bills or notes issued by said corporation shall not at any time exceed double the amount of its capital stock actually paid in; and if the president or cashier thereof shall knowingly

or willfully issue, or cause or suffer to be issued, bills or notes of said corporation exceeding double the amount of its capital stock actually paid in, such president or cashier shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment not less than one year nor more than five years, in the discretion of the court.

Mr. Hoxsey moved to amend section by striking out the word 'double' in the second line.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment were as follows:

AYES—Messrs. Alexander, (Pres.)Bramhall, Depew, Hoxsey, Laird—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Smith, Stults, Swain—10.

So said amendment was not agreed to.

Said section was then agreed to.

Mr. Stults moved to add a new section to be called section seventeen, as follows—

17. AND BE IT ENACTED, That it shall be the duty of said corporation, on the first Monday of every month, after commencing the business of banking, to publish, in at least one newspaper published in the county of Middlesex, a statement, under oath or affirmation, of the actual condition of said corporation, conforming, as nearly as may be, with the annual statements now required by law, and shall, within ten days after making such statement, forward a duplicate thereof to the Secretary of State, to be by him filed in his office; and if any president, cashier, or director shall knowingly and willfully falsely swear or affirm to any such statement, he shall be deemed guilty of perjury, and be liable to the pains and penalties thereof.

Mr. Hoxsey moved to substitute in the place thereof a section to be called section seventeen as follows—

17. AND BE IT ENACTED, That each and every one of the directors of said bank shall, before he or they shall be eligible to the office of director, or be appointed a director, own in his own right, free and clear of all liens and incumbrances thereon, the sum of twenty-five hundred dollars in the capital stock of said bank; and no bill, bond, or other security for the

payment of money, shall be discounted by said bank, except the majority of the Board of Directors shall be present assenting thereto; and in case any note, bill, bond, or other security, shall be discounted, or money loaned thereon, except by and with the consent of the majority of the said Board of Directors as aforesaid, the president, cashier, and directors assenting to such loan, and making the same, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by fine and imprisonment, at the discretion of the court before whom such conviction may be had.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Smith, Stults, Swain —11.

So said substitute was not agreed to.

Said section was then agreed to.

Mr. Stults moved that sections fifteen and sixteen of said bill be altered to sections eighteen and nineteen.

Which motion was agreed to, and the sections thus amended agreed to.

Mr. Hoxsey moved to add a new section to be called section twenty, as follows—

AND BE IT ENACTED, That it shall be the duty of said bank, upon the first Monday of each and every month, to prepare a statement of the actual condition of said bank, and which said statement shall be verified by the oath of the president and cashier of said bank, and shall contain—

FIRST, The gross amount of discounts of said bank at the time of such statement;

SECOND, The amount of such discounts made to citizens of this State, and also the amount loaned to citizens non-resident of this State—in both cases designating what portion of such discounts may be good, doubtful, or bad;

THIRD, The gross amount of the circulation of said bank, in which shall

be included all of the bills of said bank that have passed out of the actual possession of said bank for any purpose whatever;

FOURTH, The avarage amount of specie of said bank for the preceding month, the actual property of said bank;

FIFTH, The names of the directors of said bank for the time being.

The ayes and nays being demanded and ordered upon the question of agreeing to said new section, were as follows:

AYES—Messrs. Depew, Hoxsey, Robertson—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Smith, Stults, Swain—12.

So said section was not agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed, and have a third reading.

The bill from the House of Assembly entitled

A supplement to an act entitled 'an act to incorporate the Hibernian Provident Society of the Town of Newark,' passed February eighteenth, one thousand eight hundred and thirty-five,

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the town of Bergen,

Was taken up, upon its second reading.

Mr. Bramhall moved that the vote by which the ninth section was agreed to

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Said section was then amended and agreed to, and the amendments ordered to be engrossed, and the bill to have a third reading.

Mr. Swain moved a suspension of so much of the twenty-third rule as prescribes that one days notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A supplement to the act entitled 'an act to provide for the Public Printing,

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The same Senator gave notice that he would on to-morrow, or some future day, ask leave to introduce

A bill entitled,

An act to incorporate the Mount Vernon Hotel Association.

Mr. Hoxsey, from the committee on the Judiciary, to which was re-committed

The bill entitled,

A supplement to an act approved April the sixteenth, eighteen hundred and forty-six, and entitled 'an act regulating proceedings and trials in Criminal Cases,'

Reported the same back for the consideration of the Senate, the committee being unable to agree.

The same Senator, from the same committee, to which was referred

The bill entitled,

An act for the relief of the President and Trustees of the Methodist Episcopal Church in the village of Madison, in the township of Chatham, in the county of Morris, in the State of New Jersey,

Reported the same,
Without amendment.

Mr. Allen moved that the vote by which
The bill entitled,

An act relative to the Princeton Bank,

Was ordered to be engrossed and have a third reading,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Smith, Stults, Swain —11.

NAYS—Messrs. Alexander, (Pres.) Bramhall Depew, Hoxsey, Robertson, Somers—6.

So said motion was agreed to, and the vote re-considered accordingly.

The same Senator moved that the vote by which the sixteenth section of said bill was agreed to,

Be re-considered.

Which motion was agreed to, and the vote re-considered.

The sixteenth section thereof as follows—

16. AND BE IT ENACTED, That all the directors, and a majority of the stockholders of said corporation, shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation which may be in circulation at the time of its becoming insolvent, and may be jointly or severally prosecuted, at law or in equity, by any receiver or receivers that shall or may be appointed, for the pay-

ment of any such bills or notes, as if the same were their joint and several bills or notes, executed by them in their individual capacity; and it shall not be lawful for any director of said corporation to resign his office to avoid such liability; and if any director shall so attempt to resign his office, he shall be and continue liable the same as if no such resignation had been attempted; and such liability of directors shall continue after they cease to be directors, either by resignation or otherwise, if the said corporation was insolvent when they ceased to be directors; and it shall not be lawful for any director to assign or transfer his stock or other property to avoid such liability; and in case of the payment of any such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other: PROVIDED, That no property that shall or may be levied on, or taken in execution, under or by virtue of any judgment or decree in favor of any receiver or receivers, under the provisions of this act, shall be sold until after the expiration of four months from the date of said judgment or decree.

Was taken up; and being under consideration,

Mr. Allen moved to strike out after the word '*directors*,' in the first line, the words '*and a majority of the stockholders*,' which were inserted on a former reading of said bill.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Smith, Stults, Swain—10.

Nays—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Laird, Robertson, Somers—7.

So said motion was agreed to, and the words stricken out.

Said section as amended was then agreed to.

Mr. Allen moved that the vote by which the twenty-second section of said bill was disagreed to,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Said section was then amended and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill from the House of Assembly entitled,

An act supplementary to the act entitled 'an act to incorporate the New Jersey, Hudson and Delaware Railroad Company,' passed March eighth, eighteen hundred and thirty-two,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

On motion of Mr. Cowperthwaite,

The Senate then adjourned.

WEDNESDAY, March 21, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Geissenheimer.

The journal of the previous day was read and approved.

Mr. Chetwood presented a petition from numerous citizens and freeholders of the city of Newark, in favor of the passage of the law before the Legislature to create an independent battalion in said city,

Which was read and referred to the committee on the Militia.

The same Senator presented another petition from sundry citizens and freeholders of Newark upon the same subject,

Which was referred to the committee on the Militia without reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly entitled

An additional supplement to an act entitled 'an act to incorporate the Belleville Railroad and Transportation Company,' passed February sixteenth, eighteen hundred and thirty-six;

Reported the same,
Without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The amendments made in the Senate to

The bill from the House of Assembly, entitled

An act to incorporate the town of Bergen;

Also,

The bill entitled,

An act relative to the Princeton Bank,

Also,

The re-engrossed bill entitled,

An act making a further appropriation for the prosecution of the geological survey of this State,

And find the same to be severally correctly engrossed.

Mr. I. Bonnell, from the Committee on Agriculture, to which was referred

A further supplement to the act entitled 'an act for the preservation of Sheep,' approved April fourteenth, eighteen hundred and forty-six;

Reported the same,
Without amendment.

Mr. A. V. Bonnell, from the Committee on Education, to which was referred

The bill from the House of Assembly, entitled

A further supplement to the act entitled 'an act respecting public schools in the city of Trenton,' approved March sixth, one thousand eight hundred and fifty;

Also,

The bill from the House of Assembly, entitled

Supplement to an act entitled 'an act to authorize the inhabitants of School District No. 3, in Union township, Camden county, to raise money to build school-houses, and for the support of Public Schools,' approved March seventh, eighteen hundred and fifty;

Reported the same severally,
Without amendment.

The same Senator, from the same committee, to which was referred

The bill from the House of Assembly, entitled

Supplement to the act entitled 'an act to establish a State Normal School,' approved February eighth, eighteen hundred and fifty-five;

Reported adversely to said bill, and with a recommendation that it do not pass.

Mr. Somers, from the committee on the Militia, to which was referred

The bill from the House of Assembly, entitled

An act to establish an Independent Battalion in the city of Newark.

Also,

The bill from the House of Assembly entitled,

An act relating to the Hudson Brigade,

Reported the same severally,
Without amendment.

Mr. Rea, from the Committee on Municipal Corporations, to which was referred

The bill from the House of Assembly entitled,

A further supplement to an act entitled 'an act to incorporate the city of Newark,'

Also,

The bill entitled,

An act to regulate the grading of the streets, paving and curbing in the town of Salem,

Reported the same severally,
Without amendment.

Mr. Roberts, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Delaware and Hudson Telegraph Company;

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The same Senator, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act authorizing the owners of real estate to convey the same, reserving thereout a yearly ground rent.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Swain, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to incorporate the Mount Vernon Hotel Association.

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations

The re-engrossed bill entitled,

An act making a further appropriation for the prosecution of the geological survey of this State,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith Swain—17.

NAYS—Messrs. Allen, Stults—2.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill and has caused said bill to be re-engrossed, and passed the same.

The re-engrossed bill entitled

An act in relation to the census, or enumeration of the inhabitants of this state;

Was taken up and read a third time,

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Mrssrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Hoxsey, Laird, Martin, Roberts, Smith, Swain—14.

NAYS—Messrs. Cowperthwaite, Rea, Robertson, Somers—4.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill and has ordered said bill to be re-engrossed, and has passed the same.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 20, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

An act relating to Plank and Turnpike Roads,

In which the concurrence of the Senate is requested.

I am also directed to inform the Senate that the House of Assembly *insists* upon their amendments to the amendments made by the Senate to

The bill entitled,

An act to incorporate the city of Hoboken,

And have appointed a Committee of Conference, consisting of Messrs. Board, Hoagland and Leake,

And request the appointment of a similar committee on the part of the Senate.

P. D. VROOM, Clerk.

The engrossed bill entitled,

A further supplement to an act entitled "an act concerning Roads,' approved April sixteenth, eighteen hundred and forty-six,

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Smith, Stults, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to incorporate the Elizabethport Land Improvement Company,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—17.

NAYS—Mr. Hoxsey—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled,

An act to incorporate the town of Bergen, in the county of Hudson,

And the amendments made thereto in the Senate,

Was taken up and having been read a third time.

Upon the question,

Shall this bill from the House of Assembly, as amended, pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly entitled

An act supplementary to the act entitled 'an act to incorporate the New Jersey, Hudson and Delaware Railroad Company,' passed March eighth, eighteen hundred and thirty-two,

Was taken up upon its final passage.

Mr. I. Bonnell moved that the further consideration of said bill be indefinitely postponed.

Which motion was agreed to, and the bill postponed accordingly.

The bill from the House of Assembly entitled,

A supplement to an act entitled 'an act incorporating Homestead and Building Companies, approved February twenty-fifth, eighteen hundred and fifty-two,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass ?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Martin, Rea, Roberts, Somers, Smith, Swain—16.

NAYS—Messrs. Hoxsey, Robertson, Stults—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled

A supplement to an act entitled 'an act to incorporate the Hibernian Provident Society of the Town of Newark,' passed February eighteenth, one thousand eight hundred and thirty-five,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass ?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Hoxsey, Laird, Martin, Rea, Robertson, Somers, Smith, Swain —16.

NAYS—Messrs. Roberts, Stults—2.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled,

An act relating to Plank and Turnpike Roads,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The message from the House of Assembly, requesting the appointment of a Committee of Conference on the part of the Senate upon

The bill from the House of Assembly, entitled

An act to incorporate the city of Hoboken,

Was taken up and read.

Mr. Bramhall moved that a Committee of Conference be appointed.

Which motion was agreed to.

The President appointed Messrs. Bramhall and Roberts said committee on the part of the Senate.

Ordered, That the Secretary inform the House of Assembly of the appointment of said committee.

The bill entitled,

An act to alter and amend the articles of association of the Bank of New Jersey,

Was taken up upon its second reading.

Mr. Hoxsey offered the following preamble and resolutions—

Whereas, The Bank of New Jersey has neglected to publish, in conformity with law, notice that it would apply to the Legislature for an act of incorporation: *And whereas, also*, the Legislature have refused, in other cases at this session, to grant acts of incorporation without lawful notice: *And whereas, also*, the Legislature, which enacts the laws, should show proper regard to the laws of this State, being bound thereto by their official oaths; therefore,

Resolved, That the passage of the act entitled 'an act to alter and amend the articles of association of the Bank of New Jersey,' under the circumstances, would be an unprecedented

disregard of the law of this State, requiring notice of application to the Legislature.

Resolved, That the passage of said bank incorporation, under such circumstances, would be unprecedented, and would hereafter furnish a precedent for an utter disregard of the law, which requires notice for acts of incorporation to be published for six weeks before the commencement of the session of the Legislature.

Which were read.

Mr. Allen moved to lay said preamble and resolutions on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Franklin, Martin, Roberts, Stults—7.

NAYS—Messrs. Alexander, (Pres.), I. Bonnell, Bramhall, Cowperthwaite, Depew, Hoxsey, Laird, Rea, Robertson, Somers, Smith, Swain—12.

So said motion was not agreed to.

The same Senator moved that the further consideration of said preamble and resolutions, with said bill, be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults, Swain—10.

NAYS—Messrs. A. V. Bonnell, I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Robertson, Somers, Smith—9.

So said motion was agreed to, and further consideration of said resolutions and bill postponed accordingly.

The bill entitled,

An act to regulate the grading of the streets, paving and curbing, in the town of Salem,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed, and have a third reading.

The bill entitled,

A supplement to an act approved April the sixteenth, eighteen hundred and forty-six, and entitled 'an act regulating proceedings and trials in Criminal Cases,'

Which was re-committed, and reported back for the action of the Senate thereon,

Was taken up.

Mr. Hoxsey moved to strike out the second section of said bill.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs.Bramhall, Franklin, Hoxsey, Robertson, Somers—5.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew,Laird, Martin, Rea, Roberts, Smith, Stults, Swain—14.

So said motion was not agreed to.

Said bill was then agreed to, and having been previously engrossed, was ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to authorize the erection of a draw or swing bridge over the North Branch of Rancocas Creek,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

A supplement to an act entitled 'an act to incorporate the Almonesson and Westville Turnpike Company,' passed the eleventh day of March, A.D., eighteen hundred and fifty-three,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. Robertson moved that

The bill entitled,

An act for the relief of the President and Trustees of the Methodist Episcopal Church in the village of Madison, in the township of Chatham, in the county of Morris, in the State of New Jersey,

Be re-committed to the Committee on the Judiciary.

Which motion was agreed to, and the bill re-committed.

The bill from the House of Assembly entitled

An additional supplement to the act entitled 'an act to incorporate the Belleville Railroad and Transportation Company,' passed February sixteenth, eighteen hundred and thirty-six,

Was taken up, read a second time, and

On motion of Mr. Chetwood, the further consideration of the same postponed for the present.

Mr. Robertson offered the following resolution:

Resolved, That the Bank of New Jersey having neglected to give the requisite notice required by law, that the further consideration of said bill be postponed to the next session of the Legislature.

Which was read.

Mr. Allen moved that the further consideration of said resolution be postponed for the present.

Pending the consideration of said motion,

The same Senator moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Smith, Stults—13.

Nays—Messrs. Bramhall, Depew, Hoxsey, Robertson, Somers—5.

So said motion was agreed to, and

Thereupon the Senate adjourned.

At three o'clock the Senate met.

Mr. Depew, from the Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 86, entitled

An act to incorporate the Somerset County Agricultural Society;

Also,

Senate bill No. 69, entitled,

An act for the promotion of the agricultural interests of this state;

Also,

Senate bill No. 36, entitled,

An act to authorize the inhabitants of the township of Bernards, in the county of Somerset, to vote by ballot at their town meetings.

DANIEL D. DEPEW,
Ch'm of said Committee.

March 21, 1855.

Mr. A. V. Bonnell offered the following resolution:

Resolved, That the invitation of John I. Blair, Charles Scranton and Adam Wandling, Committee of Directors of the Warren Railroad, of the 21st ultimo, to visit the line of said road, which was laid on the table by a vote of the Senate, be now taken up for consideration.

Which was read and agreed to.

The invitation was then taken up and read, as follows—

Trenton, N.J., February 21, 1855.

Hon. Wm. C. Alexander,

President N. J. Senate,

DEAR SIR—Much having been said for and against the Warren Railroad at this session of the Legislature, and the company being very desirous to show your honorable body their line of road, they would respectfully invite the gentlemen composing the Senate to accompany us, at such time as they may deem most convenient, *via* the Belvidere Delaware Railroad, or

the New Jersey Central Railroad. Hoping that it may prove convenient for your body to take the trip,

We are, very respectfully,

JOHN I. BLAIR,
CHARLES SCRANTON,
WILLIAM WANDLING, JR.
Committee of Directors.

Mr. A. V. Bonnell moved that the Senate accept said invitation, and that Wednesday, the fifteenth day of August next, be fixed upon as the time for such visit.

Which motion was agreed to.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to incorporate the City Bank of Perth Amboy,

Also,

The bill entitled,

An act to regulate the grading of the streets, paving and curbing, in the town of Salem,

And find the same to be severally correctly engrossed.

Mr. Bramhall, from the Senate Joint Committee of Conference of the two Houses in relation to

The bill from the House of Assembly, entitled,

An act to incorporate the city of Hoboken,

Reported, that the committee of the two Houses had met in conference in relation to the amendments made to said bill, and were unable to agree—and that the Senate committee recommend that the Senate *adhere* to their amendments.

Which was read and accepted.

The bill from the House of Assembly, entitled

A further supplement to the act entitled 'an act respecting public schools in the city of Trenton,' approved March sixth, one thousand eight hundred and fifty ;

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to have a third reading.

The bill from the House of Assembly, entitled

Supplement to the act entitled 'an act to establish a State Normal School,' approved February eighth, eighteen hundred and fifty-five ;

Was taken up and read, and the first and only section thereof as follows—

1 BE IT ENACTED *by the Senate and General Assembly of the state of New Jersey*, That the act to which this is a supplement shall not take effect until March first, one thousand eight hundred and fifty-six, and that the appointment of trustees, by virtue of the same act, shall be postponed until the same date.

Being under consideration, and

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows :

AYES—Messrs. Allen, Cowperthwaite, Robertson, Stults—4.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Somers, Smith—12.

So said section was not agreed to.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows :

HOUSE OF ASSEMBLY, March 21, 1855.

Mr. President:—

I am directed to inform the Senate that the House of Assembly has concurred in the amendments made by the Senate to

The bill entitled,

An act to authorize the trustees of the Newark Academy to sell and convey certain real estate in the city of Newark;

Also, to

The bill entitled,

An act to incorporate the Hudson and Hackensack Tunnell and Through Cut Company;

And has caused said bills to be re-engrossed, the amendments embodied therein, and has passed the same.

Also,

That the House of Assembly has passed

The bill from the Senate, entitled

An act to incorporate the Bay City Company;

Also,

The bill from the Senate, entitled

A further supplement to the act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, approved the twenty-fifth of March, eighteen hundred and fifty-two;

Also,

The bill from the Senate, entitled

An act to extend the charter of the Farmers' Bank of New Jersey, with amendments;

Also,

The bill from the Senate, entitled

A supplement to an act entitled 'an act to establish the Cumberland Bank, at the town of Bridgeton, in the county of Cumberland, New Jersey,' passed the fifteenth day of February, eighteen hundred and sixteen;

With sundry amendments, in which the concurrence of the Senate is requested.

Also,

That the House of Assembly has passed

The bill from the Senate, entitled

An act to incorporate the Camden and Blackwoodtown Turnpike Company;

Also,

The bill from the Senate, entitled

An act relative to the purchase of Webster's Dictionary for the use of Common Schools;

Also,

The bill from the Senate, entitled

A supplement to the act entitled 'an act to authorize the inhabitants of the township of Morris, in the county of Morris, to vote by ballot at their town meetings,' passed February twenty-third, eighteen hundred and forty-three;

Also,

The bill from the Senate, entitled

An act to confirm the title of the Masonic Lodge, No. 14, of Mount Holly, to certain real estate;

Also,

The bill from the Senate, entitled

A further supplement to an act entitled 'an act for the better relief and employment of the poor of the county of Salem;

Also,

The bill from the Senate, entitled

A supplement to the act entitled 'an act to incorporate the Warren Railroad Company;

Without amendment.

P. D. VROOM, Clerk.

The bill entitled

An act relative to the purchase of Webster's Dictionary for the use of Common Schools;

Also,

The bill entitled,

An act in relation to the Census or Enumeration of the Inhabitants of this State,

Also,

The bill entitled,

An act making a further appropriation for the prosecution of the geological survey of this State,

Also,

The bill entitled,

A further supplement to an act entitled 'an act for the better relief and employment of the poor of the county of Salem;

Also,

The bill entitled,

A supplement to the act entitled 'an act to authorize the inhabitants of the township of Morris, in the county of Morris, to vote by ballot at their town meetings,' passed February twenty-third, eighteen hundred and forty-three;

Also,

The bill entitled,

An act to incorporate the Camden and Blackwoodtown Turnpike Company;

Also,

The bill entitled,

An act to confirm the title of the Masonic Lodge No. 14, of Mount Holly, to certain real estate;

Also,

The bill entitled,

A supplement to an act entitled 'an act to incorporate the Warren Railroad Company;

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

'I certify that this bill originated in the Senate.'

A. R. THROCKMORTON,
Secretary of Senate.

The bill from the House of Assembly entitled

An additional supplement to an act entitled 'an act to incorporate the Belleville Railroad and Transportation Company,' passed February sixteenth, eighteen hundred and thirty-six;

Which was postponed this morning, pending the consideration of the first section thereof,

Was taken up, and the first and remaining sections of said bill considered and agreed to, and the bill ordered to have a third reading.

The bill entitled,

An act to incorporate the Bay City Company,

Was taken up, the amendments read and concurred in, and

the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

A supplement to an act entitled 'an act to establish the Cumberland Bank, at the town of Bridgeton, in the county of Cumberland, New Jersey,' passed the fifteenth day of February, eighteen hundred and sixteen,

And the amendments made thereto in the House of Assembly,

Were taken up.

Mr. Hoxsey moved that said bill be re-printed.

Which motion was not agreed to.

The same Senator moved that the amendments made in the House of Assembly to said bill be taken up and considered separately.

Which motion was agreed to.

The third section as follows—

3. And be it enacted, That all the directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation which may be in circulation at the time of its becoming insolvent, and may be jointly or severally prosecuted, at law or in equity, by any receiver or receivers that shall or may be appointed, for the payment of any such bills or notes, as if the same were their joint and several bills or notes, executed by them in their individual capacity; and it shall not be lawful for any director of said corporation to resign his office to avoid such liability; and if any director shall so attempt to resign his office, he shall be and continue liable the same as if no such resignation had been attempted; and such liability of directors shall continue after they cease to be directors, either by resignation or otherwise, if the said corporation was insolvent when they ceased to be directors; and it shall not be lawful for any director to assign or transfer his stock or property to avoid such liability; and in case of the payment of any such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other: Provided, That no property that shall or may be levied on, or taken in execution, under and by virtue of any judgment or

decree in favor of any receiver or receivers, under the provisions of this act, shall be sold until after the expiration of four months from the date of said judgment or decree,

Was taken up and read.

Mr. Hoxsey moved that the Senate disagree to said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Robertson—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—12.

So said motion was not agreed to.

The same Senator moved to amend said section by inserting after the word '*directors*' in the first line, the words '*and stockholders.*'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.), Bramhall, Depew, Hoxsey, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—13.

So said amendment was not agreed to.

The same Senator moved to amend said section by striking out, in the fifth and sixth lines, the words 'by any receiver or receivers that shall or may be appointed for the payment of any such bill or notes,' and inserting in the place thereof the following words—'by the bill-holder or bill-holders of any of the bills and notes of said bank.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendments, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Robertson—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—12.

So said amendment was not agreed to.

The same Senator moved to amend said section by striking out after the word 'appointed,' in the fifth line, the words 'for the payment of any such bill or notes,' and inserting the words 'to realize upon the assets of said bank,' in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey, Robertson—4.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—14.

So said amendment was not agreed to.

The same Senator moved to amend said section by inserting after the word 'notes,' in the sixth line, the words 'in the name of said bank, for the use of the stockholders thereof.'

The ayes and nays being demanded and ordered upon the question of agreeing to said motion were as follows:

NAYS—Messrs Alexander, (Pres.) Bramhall, Depew, Hoxey—4.
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AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Stults —12.

So said amendment was not agreed to.

The same Senator moved to amend said section by inserting after the word 'office,' in the eighth line, the words, 'or any stockholder to assign his, her or their stock.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird—5.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Rea, Roberts, Stults—9.

So said amendment was not agreed to.

The same Senator moved to amend said section by inserting in the ninth line, after the word 'office, the words 'or any stockholder shall assign his, her, or their stock.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres), Bramhall, Depew, Hoxsey, Laird, Robertson—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Somers, Stults—12.

So said amendment was not agreed to.

The same Senator moved to amend said section by inserting after the word 'he,' in the tenth line, the words 'she or they'—also, by inserting after the word 'resignation,' in the same line, the words 'or assignment of stock.'

The ayes and nays being demanded and ordered upon the question of agreeing to said motion were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Stults—14.

So said amendments were not agreed to.

The same Senator moved to amend said section by inserting

after the word 'directors,' in the eleventh line, the words 'and stockholders.'

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey, Laird, Robertson —5.

NAYS—Messrs. Alexander, (Pres.), Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Somers, Stults—12.

So said amendment was not agreed to.

The same Senator moved to amend said section in the thirteenth line, by inserting after the word 'directors,' the words 'and stockholders.'

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults—11.

So said amendment was not agreed to.

The same Senator moved to amend said section by inserting after the word 'director,' in the fourteenth line, the words 'or stockholders.'

Pending the consideration of said motion,

A sealed communication, marked 'Nominations,' was received from His Excellency the Governor, by the hands of Mr. Shreve, his Private Secretary.

Mr. Hoxsey moved that the Senate go into executive session

Mr. Allen moved a call of the Senate; and the call being sustained and ordered, the Secretary proceeded to call the Senate.

Pending the call, Mr. Allen moved that all further proceedings under the call be dispensed with.

Which motion was agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Stults—9.

So said motion was not agreed to.

The consideration of the amendment proposed to the third section, in the fourteenth line, was then resumed.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Robertson—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Somers, Stults—12.

So said amendment was not agreed to.

Mr. Hoxsey moved to amend said section by inserting after the word 'directors,' at the end of the fifteenth line, the words, 'or stockholders,' also by inserting after the word 'directors,' in the sixteenth line, the words 'or stockholders.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendments, were as follows—

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults—13.

So said amendments were not agreed to.

The same Senator then moved to strike out the proviso at the end of said section.

The ayes and nays being demanded and ordered upon the question of argeeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults—12.

So said motion was not agreed to.

The same Senator moved to amend said section by striking out the word 'four' in the twentieth line, and inserting the word 'one' in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Rea—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults—11.

So said amendment was not agreed to.

The same Senator moved to strike out the word 'four' in the twentieth line, and insert the word 'two' in the place thereof.

Which motion was not agreed to.

The same Senator moved to amend said section by striking out the word 'four' in the twentieth line, and inserting the word 'three' in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment were as follows—

So said amendment was not agreed to.

The same Senator then moved that the further considera-

tion of said bill be postponed for the present, in order to make further amendments to the same.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

NAYS—Messrs Bramhall, Depew, Hoxsey, Robertson—4.

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—14.

So said motion was not agreed to.

The same Senator moved that the further consideration of said bill be postponed until to-morrow.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—13.

So said motion was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—13.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson—5.

So said section was agreed to.

The same Senator moved that the Senate now go into executive session.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults—10.

So said motion was not agreed to.

The fourth section of said bill, as follows:

4. AND BE IT ENACTED, That if the assets of said corporation and the property of said directors shall prove insufficient to redeem the whole of the said bills or notes, then the amount that shall or may be realized from said assets and said property shall be distributed ratably among the holders of the said bills and notes.

Was then taken up and read.

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Smith, Stults—15.

NAYS—Messrs. Bramhall, Depew—2.

So said section was agreed to.

The fifth section of said bill, as follows:

5. AND BE IT ENACTED, That the stockholders of said corporation, at the time of its becoming insolvent, other than said directors, shall be jointly and severally liable to any receiver or receivers that shall or may be appointed as aforesaid, to an amount sufficient to redeem the said bills and notes, after the assets of said corporation and the property of said directors shall have been distributed as aforesaid: PROVIDED, That no stockholder other than said directors shall be made liable to an amount exceeding the par value of the stock held by him at the time said corporation becomes insolvent; and if that amount shall not be required for the full redemption of said bills and notes, then the said stockholders shall be liable in the ratio of the said stock so held by them, and it shall not be lawful for any such stockholder to assign or otherwise transfer his stock or other property to avoid such liability.

Was taken up and read.

Mr. Hoxsey moved to amend the same by striking out, in the third line, the words 'receiver or receivers,' and inserting in the place thereof the words 'of the bill-holders of said bank.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—13.

So said amendment was not agreed to.

The same Senator moved to amend said section by adding, at the end of the third line, after the word 'aforesaid,' the words 'for the benefit of the bill-holders and creditors of said bank.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Smith, Stults—13.

So said amendment was not agreed to.

The same Senator moved to amend said section by striking out the *proviso*, at the end of the section.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Smith, Stults—12.

So said motion was not agreed to.

The same Senator moved to amend said section by inserting after the word 'him' in the seventh line, the words 'her or them.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Smith, Stults—13.

So said amendment was not agreed to.

The same Senator moved to amend said section by adding at the end of the section the following words—'and each and every stockholder who may assign his stock shall remain liable for one year after he or they shall cease to be stockholders.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Depew, Hoxsey—2.

Nays—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I, Bonnell. Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—14.

So said amendment was not agreed to.

Said section was then agreed to.

The sixth section of said bill as follows—

6. AND BE IT ENACTED, That in case of an action or suit at law against any director or directors, stockholder or stockholders, under any of the preceding sections of this act, the receiver or receivers may declare generally for money had and received: PROVIDED, That a schedule shall be annexed to the said declaration, setting forth that the said action or suit is under and by virtue of the provisions of this act, specifying the aggregate amount claimed, the names of the president and cashier subscribed to the bills or notes declared on, and the numbers and denominations thereof.

Was then taken up and read; and being under consideration,

Mr. Hoxsey moved to amend the same by inserting after the word 'received,' in the fourth line, the words 'for the use of the bill-holders of said bank.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—13.

So said amendment was not agreed to.

The same Senator moved to amend said section by striking out the word 'numbers' in the last line.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird—5.

NAYS—Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—12.

So said amendment was not agreed to.

The same Senator offered the following resolution:

Resolved, That the further consideration of said bill be postponed until the Cumberland Bank inform the Senate how much of the suspended paper of the firm of Reeves, Buck & Co. said bank now holds.

Which was read, and

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey, Robertson—4.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—14.

So said resolution was not agreed to.

Said section was then agreed to.

The seventh section of said bill as follows—

7. AND BE IT ENACTED, That the bills or notes issued by said corporation shall not at any time exceed double the amount of its capital stock actually paid in; and if the president or cashier thereof shall knowingly or willfully issue, or cause or suffer to be issued, bills or notes of said corporation exceeding double the amount of its capital stock actually paid in, such president or cashier shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment not less than one year nor more than five years, in the discretion of the court.

Was taken up, and being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word 'double' in the second line.

Which motion was not agreed to.

The same Senator moved to amend said section by adding at the end of the same the following words—'and by fine not exceeding ten thousand dollars, at the discretion of the court.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Laird, Robertson—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Somers Smith, Stults—13.

So said amendment was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows—

Ayes—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I.

Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Stults—11.

Nays—Messrs. Depew, Hoxsey—2.

So said section was agreed to.

The eighth section of said bill as follows—

17. AND BE IT ENACTED, That it shall be the duty of said corporation, on the first Monday of every month, after commencing the business of banking, to publish, in at least one newspaper published in the county where the banking house of such corporation shall be located, a statement, under oath or affirmation, of the actual condition of said corporation, conforming, as nearly as may be, with the annual statements now required by law, and shall, within ten days after making such statement, forward a duplicate thereof to the Secretary of State, to be by him filed in his office; and if any president, cashier, or director shall knowingly and willfully falsely swear or affirm to any such statement, he shall be deemed guilty of perjury, and be liable to the pains and penalties thereof.

Was taken up and read, and being under consideration,

Mr. Hoxsey moved to substitute a new section in the place thereof, to be called section eight, as follows—

AND BE IT ENACTED, That it shall be the duty of said bank, upon the first Monday of each and every month, to prepare a statement of the actual condition of said bank, and which said statement shall be verified by the oath of the president and cashier of said bank, and shall contain—

FIRST, The gross amount of discounts of said bank at the time of such statement;

SECOND, The amount of such discounts made to citizens of this State, and also the amount loaned to citizens non-resident of this State—in both cases designating what portion of such discounts may be good, doubtful, or bad;

THIRD, The gross amount of the circulation of said bank, in which shall be included all of the bills of said bank that have passed out of the actual possession of said bank for any purpose whatever;

FOURTH, The avarage amount of specie of said bank for the preceding month, the actual property of said bank;

FIFTH, The names of the directors of said bank for the time being.

The ayes and nays being demanded and ordered upon the question of agreeing to said substitute, were as follows:

Ayes—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey —4.

Nays—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Smith, Stults—12.

So said substitute was not agreed to.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 21, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill from the Senate, entitled

An act to incorporate the Hunterdon County Bank;

Also,

The bill from the Senate, entitled

An act to renew the charter of the Sussex Bank, with amendments;

Also,

The bill from the Senate, entitled

An act to incorporate the Farmers' and Mechanics' Bank at Camden;

Also,

The bill from the Senate, entitled

An act to extend the charter of the Burlington Bank at Medford;

With sundry amendments, in which amendments the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The consideration of the eighth section of said bill was resumed.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

Ayes—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—14.

Nays—Bramhall, Depew, Hoxsey—3.

So said section was agreed to.

The ninth section of said bill, as follows:

9. AND BE IT ENACTED, That at all elections and meetings of the stockholders of said corporation hereafter to be held, each stockholder shall be entitled to one vote for each share of stock which he, she or they shall have held in his, her or their names at least thirty days before the time of voting.

Was taken up and read, and being under consideration,

Mr. Hoxsey moved to amend said section by adding a *proviso* at the end of the same, as follows:

17. PROVIDED, That each and every one of the directors of said bank shall, before he or they shall be eligible to the office of director, or be appointed a director, own in his own right, free and clear of all liens and incumbrances thereon, the sum of twenty-five hundred dollars in the capital stock of said bank; and no bill, bond, or other security for the payment of money, shall be discounted by said bank, except the majority of the Board of Directors shall be present assenting thereto; and in case any note, bill, bond, or other security, shall be discounted, or money loaned thereon, except by and with the consent of the majority of the said Board of Directors as aforesaid, the president, cashier, and directors assenting to such loan, and making the same, shall be deemed guilty of a misdemeanor and on conviction shall be punished by fine and imprisonment, at the discretion of the court before whom such conviction may be had.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—14.

So said amendment was not agreed to.

Mr. Hoxsey moved to amend said section by adding a *proviso* at the end of the same, as follows:

PROVIDED, That it shall be the duty of said bank, at the time of the expiration of its present charter, or act of incorporation, to call in and cancel or destroy the whole circulation of said bank, and in no case to re-issue any portion thereof; and it shall be the duty of said bank, before it shall issue any circulating notes, to produce before the Treasurer of this State an amount of circulating notes equal to the amount that said bank may lawfully issue; and it shall be the duty of the said Treasurer to register and countersign the same to such an amount as said bank may legally issue, by virtue of this act; and in case the said bank shall, under and by virtue of this act, issue or cause to be issued any unregistered and uncountersigned notes, the president and cashier who may sign or issue the same shall be deemed guilty of a misdemeanor, and shall be punished by fine and imprisonment, at the discretion of the court before whom such conviction may be had.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Bramhall, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—14.

So said amendment was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults—14.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, —4.

So said section was agreed to.

The tenth section of said bill as follows—

10. And be it enacted, That nothing in this act contained shall be construed to alter or change the present charter of said corporation, but the same shall continue as if this act had not been passed up to the expiration of the time limited for its continuance.

Was then taken up and read.

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

Nays—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults—14.

Ayes—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson—5.

So said section was agreed to.

The eleventh section of said bill, as follows:

11. And be it enacted, That unless the directors of said corporation shall, within six months hereafter, assent to this act, and file a written assent thereto, under the seal of said corporation, in the office of the Secretary of State, this act shall be deemed and considered void.

Was taken up, and

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows—

Ayes—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith—13.

Nays—Messrs. Bramhall, Depew, Hoxsey—3.

So said section was agreed to.

The twelfth and only remaining section was read, considered and agreed to.

The ayes and nays being demanded and ordered upon the question of concurring in the amendments made in the House

of Assembly to said bill. and ordering the same to be re-engrossed, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—14.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson Somers—5.

So said amendments were concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

On motion of Mr. Hoxsey, the Senate went into executive session.

After some time spent therein, the Senate again came to order.

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Hoxsey, Laird, Rea, Roberts, Robertson, Somers, Smith—13.

NAYS—Messrs. Allen, Cowperthwaite, Franklin, Stults—4.

So said motion was agreed to, and

Thereupon the Senate adjourned.

THURSDAY, March 22, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Geissenheimer.

The journal of the previous day was read and approved.

Mr. Franklin gave notice that he would on to-morrow or some future day ask leave to introduce

A bill entitled,

An act to authorize the inhabitants of the townships of Woolwich and Greenwich, in the county of Gloucester, to vote by ballot at their town meetings.

The same Senator presented a petition from Mala C. Horner and others, voters of the township of Woolwich, in the county of Gloucester, asking the passage of a law to authorize the inhabitants of said township to vote by ballot at their annual town meetings,

Which was referred to the Committee on the Judiciary without reading.

The same Senator presented a petition from John H. Broadway and others, residents of the township of Greenwich, in Gloucester county, asking the passage of a law to authorize the inhabitants of said township to vote by ballot at their annual town meetings,

Which was referred to the Committee on the Judiciary without reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled,

An act to incorporate the Mount Vernon Hotel Association;

Also,

The bill entitled,

An act to incorporate the Delaware and Hudson Telegraph Company;

Reported the same severally,
Without amendment.

Mr. Depew, from the Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 134. entitled

An act relative to the purchase of Webster's Dictionary for the use of Common Schools;

DANIEL D. DEPEW,
Ch'm of said Committee.

March 21, 1855.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled

A supplement to an act entitled 'an act to establish the Cumberland Bank, at the town of Bridgeton, in the county of Cumberland, New Jersey,' passed the fifteenth day of February, eighteen hundred and sixteen,

Also,

The re-engrossed bill entitled,

An act to incorporate the Bay City Company;

And find the same to be severally correctly engrossed.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill entitled,

An act for the relief of the President and Trustees of the Methodist Episcopal Church in the village of Madison, in the township of Chatham, in the county of Morris, in the State of New Jersey,

Reported a substitute for said bill, entitled

An act for the relief of the Methodist Church at Madison, in the county of Morris.

The same Senator, from the same committee, to which was referred

The bill entitled,

An act to restore the navigation of Little Timber Creek, in the township of Union, in the county of Camden,

Reported adversely to said bill, and recommended that the further consideration of said bill be postponed to the next session of the Legislature.

The same Senator moved that said bill be postponed, in accordance with such recommendation.

Which motion was agreed to, and the bill postponed accordingly.

The same Senator, from the same committee, to which was referred

The bill from the House of Assembly entitled,

A supplement to an act entitled 'an act for the government and regulation of the State Prison,' approved April sixteenth, eighteen hundred and forty-six,

Also,

The bill from the House of Assembly, entitled

An act relating to Plank and Turnpike Roads,

Also,

The bill from the House of Assembly, entitled

An act to enable the Trustees of the Newark Academy more efficiently to promote the objects of their Institution;

Reported the same severally,
Without amendment.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 21, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill from the Senate, entitled

An act to incorporate the Newark City Bank;

Also,

The bill from the Senate, entitled

A further supplement to the act entitled 'an act to erect and establish a banking and insurance company in the town of Newark, and county of Essex,' passed February seventeenth, eighteen hundred and four;

Also,

The bill from the Senate, entitled

An act to renew the charter of the Morris County Bank, with amendments;

Also,

The bill from the Senate, entitled

An act to incorporate the Burlington Bank,

With sundry amendments, in which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

Mr. Hoxsey moved to take up the resolution offered by Mr. Robertson, and which was under consideration yesterday morning when the Senate adjourned, as follows:

Resolved, That the Bank of New Jersey having neglected to give the requisite notice required by law, the further consideration of said bill be postponed to the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Depew, Hoxsey, Robertson—3.

NAYS—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—14.

So said motion was not agreed to.

The same Senator moved that the further consideration of

The bill entitled,

An act relative to the Princeton Bank,

Be postponed until the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, Depew, Hoxsey, Laird, Robertson, Somers, Smith—8.

NAYS—Messrs. Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Roberts, Stults—8.

So said motion was not agreed to.

The engrossed bill entitled

A supplement to an act approved April the sixteenth, eighteen hundred and forty-six, and entitled 'an act regulating proceedings and trials in Criminal Cases,'

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Martin, Roberts, Somers—11.

NAYS—Messrs. Howell, Hoxsey, Laird, Robertson, Smith, Stults—6.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act to regulate the grading of the streets, paving and curbing, in the town of Salem,

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson Somers, Smith, Stults —17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The re-engrossed bill entitled,

A supplement to an act entitled 'an act to establish the Cumberland Bank at the town of Bridgeton, in the county of Cumberland, New Jersey,' passed the fifteenth day of February eighteen hundred and sixteen,

Was taken up and read a third time, and while under consideration,

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Depew, Hoxsey—2.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Smith, Stults—15.

So said motion was not agreed to.

The consideration of said bill was then resumed.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults—14.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill and has ordered said bill to be re-engrossed, and has passed the same.

A communication was received from His Excellency the Governor, by the hands of Mr. Shreve, his Private Secretary, as follows:

To the Senate and General Assembly
of the State of New Jersey.

Gentlemen—It is known to you that by a recent afflictive dispensation of Divine Providence, the time-honored and justly

venerated edifice of Nassau Hall has been burned to the ground; and I am informed that an application is about to be made to the Legislature of New Jersey for pecuniary aid, to enable the trustees to re-build the edifice.

It does appear to me that an appeal for such a purpose cannot be made to Jerseymen in vain. The patriotic and historic recollections that cluster around that classic spot is dear to every son of this our native State. It may indeed be truly said, 'that the College of New Jersey has done much to render the name of our State illustrious. Into every part of the world has she sent her sons to adorn their *Alma Mater*, and give assurance of her power and ability to develop genius and knowledge in their fullest and brightest perfection.'

Her day of calamity has come—and the noble old edifice has been prostrated by the elements, and the trustees of the College are without the means to re-build it. I earnestly hope that the Legislature of New Jersey, in a spirit of enlightened liberality, will promptly extend the relief sought. It meets my entire approbation and I do respectfully recommend it to your favorable consideration.

RODMAN M. PRICE.

Which communication was laid on the table.

Mr. Allen moved a suspension of the rule regulating the order of business, in order that the further consideration of bills upon their third reading may be dispensed with, and that the Senate take up the bills accompanying the message from the House of Assembly of yesterday.

Which motion was agreed to, and

The bill entitled,

An act to extend the charter of the Farmers' Bank of New Jersey, with amendments,

And the amendments made thereto in the House of Assembly,

Were taken up.

Mr. Hoxsey moved that the further consideration of said bill, and the amendments made thereto, be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey—3.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Howell, Rea, Roberts, Robertson, Stults—10

So said motion was not agreed to.

The third section of said bill as follows—

3. AND BE IT ENACTED, That all the directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation which may be in circulation at the time of its becoming insolvent, and may be jointly or severally prosecuted, at law or in equity, by any receiver or receivers that shall or may be appointed, for the payment of any such bills or notes, as if the same were their joint and several bills or notes, executed by them in their individual capacity; and it shall not be lawful for any director of said corporation to resign his office to avoid such liability; and if any director shall so attempt to resign his office, he shall be and continue liable the same as if no such resignation had been attempted; and such liability of directors shall continue after they cease to be directors, either by resignation or otherwise, if the said corporation was insolvent when they ceased to be directors; and it shall not be lawful for any director to assign or transfer his stock or property to avoid such liability; and in case of the payment of any such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other: PROVIDED, That no property that shall or may be levied on, or taken in execution, under and by virtue of any judgment or decree in favor of any receiver or receivers, under the provisions of this act, shall be sold until after the expiration of four months from the date of said judgment or decree.

Was then taken up and read, and being under consideration,

Mr. Allen offered the following resolution:

Resolved, That the Senate now proceed to vote on said section without further debate.

Which being read,

Mr. Hoxsey moved to amend the same by striking out the word 'vote,' and inserting the word 'act' in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, Smith—5.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Somers, Stults—13.

So said amendment was not agreed to.

Said resolution was then agreed to.

Mr. Hoxsey moved that the question be again put upon the question of agreeing to said resolution, in order to demand the ayes and nays thereon.

Which motion was not agreed to.

The consideration of the third section was then resumed.

Mr. Hoxsey moved to amend said section by inserting after the word 'directors,' in the third line, the words 'and stockholders.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs Depew, Hoxsey—2.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults—13.

So said amendment was not agreed to.

Mr. Allen moved that the Senate now proceed to vote on said section without further debate or amendment.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion were as follows:

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Rea, Roberts, Stults —11.

AYES—Messrs. Alexander, (Pres), Depew, Hoxsey, Martin, Robertson, Somers, Smith—7.

So said motion was agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows—

Ayes—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults—15.

Nays—Messrs. Depew, Hoxsey—2.

So said section was agreed to.

Mr. Hoxsey asked and obtained permission to enter upon the Journal of the Senate his protest, as follows:

I protest against the resolution adopted, because it violates the right of free discussion. It denies to the minority and to the representatives of the people even the right to amend these private bank charters. It is without precedent in any legislative body; for if the right to amend bills on their second reading is denied, it amounts to an unqualified denial of deliberative legislation. And I further protest against it, in my own name, at this time; and I further protest against its being regarded as a precedent by future Legislatures; and I protest against the use of so extreme and unparliamentary a proceeding for the benefit of individuals and private corporations.

THOS. D. HOXSEY.

The fourth section of said bill, as amended, was read and agreed to.

The fifth section of said bill, as follows—

5. AND BE IT ENACTED, That the stockholders of said corporation, at the time of its becoming insolvent, other than said directors, shall be jointly and severally liable to any receiver or receivers that shall or may be appointed as aforesaid, to an amount sufficient to redeem the said bills and notes, after the assets of said corporation and the property of said directors shall have been distributed as aforesaid: PROVIDED, That no stockholder other than said directors shall be made liable to an amount exceeding the par value of the stock held by him at the time said corporation becomes insolvent; and if that amount shall not be required for the full redemption of said bills and notes, then the said stockholders shall be liable in the ratio of the said stock so held by them, and it shall not be lawful for any such stockholder to assign or otherwise transfer his stock or other property to avoid such liability.

Was taken up and read, and while under consideration,

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Depew, Hoxsey—2.

Nays—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I, Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—13.

So said motion was not agreed to.

The consideration of the fifth section was then resumed.

Mr. Hoxsey moved to amend the same by striking out, in the third line, the words 'receiver or receivers,' and inserting the words 'of the bill-holders of said bank' in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

NAYS—Messrs. Depew Hoxsey,—2.

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—14.

So said amendment was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Rea, Roberts, Smith, Stults—13.

NAYS—Messrs. Depew, Hoxsey, Martin—3.

So said section was agreed to.

The sixth section was read and agreed to.

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. Depew, Hoxsey—2.

Nays—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—14.

So said motion was not agreed to.

The remaining sections of said bill were then read, considered and agreed to.

Upon the question of ordering said bill to be re-engrossed, and have a third reading,

The ayes and nays being demanded and ordered were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—13.

NAYS—Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

So said bill was ordered to be re-engrossed, and the amendments made thereto in the House of Assembly to be embodied therein, and have a final reading.

Mr. I. Bonnell offered the following resolution:

Resolved, That the consideration of the bank bills be made the order of the day until they are disposed of.

Which was read.

Mr. Hoxsey moved to lay said resolution on the table.

Pending the consideration of said motion,

The same Senator moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Howell, Hoxsey, Laird, Robertson, Somers, Smith—8.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Stults—10.

So said motion to adjourn was not agreed to.

The question recurring upon the motion to lay said resolution on the table, and

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Smith —4.

NAYS—Messrs. Allen, A. V. Bonnell, I.Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults—12.

So said motion was not agreed to.

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Howell, Hoxsey, Laird, Martin, Somers, Smith—8.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Rea, Roberts, Stults—9.

So said motion was not agreed to.

Mr. Howell moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Howell, Hoxsey, Laird, Martin, Robertson Somers, Smith—9.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Rea, Roberts, Stults—9.

So said motion was not agreed to.

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Howell, Hoxsey, Laird, Martin, Robertson, Somers, Smith—9.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Rea, Stults—8.

So said motion was agreed to, and

Thereupon the Senate adjourned.

At three o'clock the Senate met.

The President laid before the Senate a memorial from citizens and freeholders of Mercer county, asking an alteration of the law respecting roads, so as to require that two-thirds of the land-owners through whom a road shall run shall be applicants for said road.

Which was read and referred to the Committee on the Judiciary.

Mr. Allen offered the following concurrent resolution:

Resolved (Assembly concurring), That the concurrent resolution by which the two Houses agreed to adjourn on Thursday, the 29th of March, instant, be rescinded.

Which was read.

Mr. Hoxsey moved to lay said resolution on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Robertson, Somers—5.

NAYS—Messrs. Allen, A. V. Bonnell, I.Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—12.

So said motion was not agreed to.

Pending the consideration of said concurrent resolution,

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 22, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill from the Senate, entitled

An act to incorporate the Gloucester County Bank at Woodbury;

Also,

The bill from the Senate, entitled

An act to incorporate the Hackettstown Bank, of the county of Warren, at Hackettstown;

Also,

The bill from the Senate entitled,

An act to incorporate the Freehold Banking Company;

Also,

The bill from the Senate, entitled

An act to incorporate the Central Bank of New Jersey;

Also,

The bill from the Senate, entitled

An act to incorporate the Bordentown Banking Company;

Also,

The bill from the Senate, entitled

An act to extend the charter of the Mechanics' Bank of Burlington;

Also,

The bill from the Senate, entitled

An act to renew the charter of the Trenton Banking Company,

With sundry amendments, in which the concurrence of the Senate is requested.

Also,

The bill from the Senate, entitled

Supplement to the act entitled 'an act to incorporate the Camden and Atlantic Railroad Company,' approved March nineteenth, eighteen hundred and fifty-two,

Without amendment.

Also,

That the House of Assembly has concurred in the amendments made in the Senate to

The bill entitled,

An act to incorporate the town of Bergen, in the county of Hudson;

Also,

The bill entitled,

An act to widen and regulate the draws in the bridges over the Passaic River,

Also,

The bill entitled,

An act to incorporate the Columbus and Wrightstown Turnpike Company,

And has ordered said bills to be re-engrossed, the amendments to be embodied therein and passed the same.

Also,

That the House of Assembly has passed

The bill entitled,

A supplement to 'an act granting certain privileges to Fire-

men, &c.' passed February twenty-three, eighteen hundred and thirty-eight;

Also,

The bill entitled,

An act supplementary to the act entitled 'an act for the relief of persons imprisoned on civil process;

Also,

The bill entitled,

A supplement to an act entitled 'an act to authorize the sale of certain real estate of John T. Halsey, deceased late of Elizabethtown, in the county of Essex,' passed November four, eighteen hundred and forty-two;

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has concurred in the amendments made by the Senate to

The bill entitled,

An act to incorporate the city of Hoboken,

With the exception of the word 'next,' after the word 'March,' in the 69th section, which, in consequence of the delays in the passage of the bill, has the effect of postponing its operation until next year, and which has been amended in the House of Assembly by substituting the words, 'eighteen hundred and fifty-five;'

In which amendment to the Senate amendments the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The consideration of the concurrent resolution offered by Mr. Allen was then resumed.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

Ayes—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Robertson, Smith, Stults—13.

Nays—Messrs. Alexander, (Pres.) Depew, Hoxsey—3.

So said resolution was agreed to.

Ordered, That the Secretary inform the House of Assembly of the passage of said concurrent resolution, and request their concurrence.

The communication from His Excellency the Governor, in relation to an appropriation in aid of the College of New Jersey, received this morning, and laid on the table,

Was taken up and read, and

On motion of Mr. Hoxsey, ordered to be entered on the Journal.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled

An act to extend the charter of the Farmers' Bank of New Jersey, with amendments,

And find the same to be correctly engrossed.

Mr. Allen moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time,

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

Ayes—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults—12.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, Somers, Smith—6.

So said motion was agreed to, and so much of said rule suspended accordingly.

Said bill was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—13.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill and has caused said bill to be re-engrossed, and passed the same.

The resolution offered this morning by Mr. I. Bonnell, that the consideration of the bank bills be made the order of the day until they are all disposed of, and which was under consideration when the Senate adjourned,

Was called up.

Mr. Allen moved that the further consideration of the same be postponed for the present.

Which motion was agreed to, and the consideration of said resolution postponed accordingly.

The same Senator moved that the Senate now proceed to the consideration of the bills amended in the House of Assembly, and returned to the Senate for the concurrence of the Senate therein, by the message of yesterday.

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Stults—9.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Rea, Robertson, Somers, Smith—8.

So said motion was agreed to.

The bill entitled,

An act to incorporate the Farmers' and Mechanics' Bank at Camden,

And the amendments made thereto in the House of Assembly,

Were taken up and the amendments read.

Mr. Hoxsey moved that the amendments be considered and acted upon separately.

Which motion was agreed to.

The twelfth section of said bill as amended, as follows—

12. AND BE IT ENACTED, That if the said corporation shall at any time hereafter become insolvent, the whole assets of the said corporation, at the time of its becoming insolvent, shall be first liable for the redemption of its bills or notes then in circulation, and shall be first applied to the payment thereof; and in case of a distribution of the assets of said corporation among the creditors thereof, under an order or decree of the Court of Chancery, or other court, the holders of such bills or notes shall be equal in priority, and shall have a preference over all other creditors.

Was then read and considered, and

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows—

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith—12.

NAYS—Messrs. Depew, Hoxsey—2.

So said section was agreed to.

The thirteenth section of said bill, as follows:

13. And be it enacted, That all the directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation which may be in circulation at the time of its becoming insolvent, and may be jointly or severally prosecuted, at law or in equity, by any receiver or receivers that shall or may be appointed, for the payment of any such bills or notes, as if the same were their joint and several bills or notes, executed by them in their individual capacity; and it shall not be lawful for any director of said corporation to resign his office to avoid such liability; and if any director shall so attempt to resign his office, he shall be and continue liable the same as if no such resignation had been attempted; and such liability of directors shall continue after they cease to be directors, either by resignation or otherwise, if the said corporation was insolvent when they ceased to be directors; and it shall not be lawful for any director to assign or transfer his stock or property to avoid such liability; and in case of the payment of any such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other: Provided, That no property that shall or may be levied on, or taken in execution, under and by virtue of any judgment or decree in favor of any receiver or receivers, under the provisions of this act, shall be sold until after the expiration of four months from the date of said judgment or decree,

Mr. Hoxsey moved to strike out the proviso in said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

Ayes—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

Nays—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults—14.

So said amendment was not agreed to.

Said section was then agreed to.

The fourteenth, fifteenth and sixteenth sections of said bill, as amended, were then considered and agreed to.

The seventeenth section of said bill as amended, as follows—

17. And be it enacted, That the bills or notes issued by said corporation shall not at any time exceed double the amount of its capital stock actually paid in; and if the president or cashier thereof shall knowingly or willfully issue, or cause or suffer to be issued, bills or notes of said corporation exceeding double the amount of its capital stock actually paid in, such president or cashier shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment not less than one year nor more than five years, in the discretion of the court.

Was taken up—and being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word 'double,' in the second line.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

Ayes—Messrs. Depew, Hoxsey—2.

Nays—Messrs. Allen, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—13.

So said amendment was not agreed to.

Said section was then agreed to.

The eighteenth and nineteenth sections, as amended, were then agreed to.

The amendments having been read, considered and concurred in, and

The ayes and nays being demanded and ordered upon the question of ordering said bill to be re-engrossed, and the amendments to be embodied therein, and have a final reading, were as follows:

Ayes—Messrs. Allen. I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird Martin, Rea, Roberts, Somers, Smith, Stults—13.

Nays—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

Ordered, That said bill be re-engrossed, the amendments made thereto in the House of Assembly be embodied therein, and that the bill have a final reading.

The bill entitled,

A supplement to an act entitled 'an act to establish the Cumberland Bank, at the town of Bridgeton, in the county of Cumberland, New Jersey,' passed the fifteenth day of February, eighteen hundred and sixteen,

Also,

The bill entitled,

An act to extend the charter of the Farmers' Bank of New Jersey, with amendments,

Also,

The bill entitled,

Supplement to the act entitled 'an act to incorporate the Camden and Atlantic Railroad Company,' approved March nineteenth, eighteen hundred and fifty-two,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each :

'I certify that this bill originated in the Senate.'

A. R. THROCKMORTON,
Secretary of Senate.

A bill entitled,

An act to extend the charter of the Burlington County Bank at Medford,

And the amendments made thereto in the House of Assembly,

Were taken up, and the amendments read.

The third section thereof was considered and agreed to.

The fourth section thereof as amended, as follows:

4. AND BE IT ENACTED, That if the assets of said corporation and the property of said directors shall prove insufficient to redeem the whole of the said bills or notes, then the amount that shall or may be realized from said assets and said property shall be distributed ratably among the holders of the said bills and notes.

Was then considered, and

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Stults—11.

NAYS—Messrs. Depew, Hoxsey, Smith—3.

So said section was agreed to.

The fifth section was then agreed to.

The sixth section of said bill as follows—

6. AND BE IT ENACTED, That in case of an action or suit at law against any director or directors, stockholder or stockholders, under any of the preceding sections of this act, the receiver or receivers may declare generally for money had and received: PROVIDED, That a schedule shall be annexed to the said declaration, setting forth that the said action or suit is under and by virtue of the provisions of this act, specifying the aggregate amount claimed, the names of the president and cashier subscribed to the bills or notes declared on, and the numbers and denominations thereof.

Was then considered, and

The ayes and nays being demanded and ordered upon the question to said section, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults—16.

NAYS—Messrs. Depew, Hoxsey—2.

So said section was agreed to.

The eighth section of said bill, as follows:

8. AND BE IT ENACTED, That it shall be the duty of said corporation, on the first Monday of every month, after commencing the business of banking, to publish, in at least one newspaper published in the county where the banking house of such corporation shall be located, a statement, under oath or affirmation, of the actual condition of said corporation, conforming, as nearly as may be, with the annual statements now required by law, and shall, within ten days after making such statement, forward a duplicate thereof to the Secretary of State, to be by him filed in his office; and if any president, cashier, or director shall knowingly and willfully falsely swear or affirm to any such statement, he shall be deemed guilty of perjury, and be liable to the pains and penalties thereof.

Was taken up and read, and being under consideration,

Mr. Hoxsey offered a substitute for said section, to be called section eight, as follows—

AND BE IT ENACTED, That it shall be the duty of said bank, upon the first Monday of each and every month, to prepare a statement of the actual condition of said bank, and which said statement shall be verified by the oath of the president and cashier of said bank, and shall contain—

FIRST, The gross amount of discounts of said bank at the time of such statement;

SECOND, The amount of such discounts made to citizens of this State, and also the amount loaned to citizens non-resident of this State—in both cases designating what portion of such discounts may be good, doubtful, or bad;

THIRD, The gross amount of the circulation of said bank, in which shall be included all of the bills of said bank that have passed out of the actual possession of said bank for any purpose whatever;

FOURTH, The avarage amount of specie of said bank for the preceding month, the actual property of said bank;

FIFTH, The names of the directors of said bank for the time being.

Which was read.

Mr. Allen moved to lay said substitute on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood,

Cowperthwaite, Howell, Martin, Rea, Roberts, Somers, Stults —11.

NAYS—Messrs. Alexander, (Pres.) Depew, Franklin, Hoxsey, Smith—5.

So said motion was agreed to, and said substitute laid upon the table.

Said eighth section was then agreed to.

The ninth section of said bill, as follows:

9. AND BE IT ENACTED, That at all elections and meetings of the stockholders of said corporation hereafter to be held, each stockholder shall be entitled to one vote for each share of stock which he, she or they shall have held in his, her or their names at least thirty days before the time of voting.

Was read and considered, and

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I, Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Somers, Smith, Stults—14.

NAYS—Messrs. Depew, Hoxsey—2.

So said section was agreed to.

The remaining sections of said bill, as amended in the House of Assembly, were considered and agreed to.

The ayes and nays being demanded and ordered upon the question of ordering said bill to be re-engrossed, the amendments to be embodied therein, and have a final reading, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults—14.

NAYS—Messrs. Alexander, (Pres.) Depew Hoxsey,—3.

So said bill was ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

An act to renew the charter of the Sussex Bank, with amendments,

And the amendments made thereto in the House of Assembly,

Was taken up and read, and

The eighth section thereof as follows—

8. AND BE IT ENACTED, That in case of an action or suit at law against any director or directors, stockholder or stockholders, under any of the preceding sections of this act, the receiver or receivers may declare generally for money had and received: PROVIDED, That a schedule shall be annexed to the said declaration, setting forth that the said action or suit is under and by virtue of the provisions of this act, specifying the aggregate amount claimed, the names of the president and cashier subscribed to the bills or notes declared on, and the numbers and denominations thereof.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the word 'numbers' in the last line thereof.

Which motion was not agreed to.

Said section was then agreed to.

The ninth section of said bill as follows—

9. AND BE IT ENACTED, That the bills or notes issued by said corperation shall not at any time exceed double the amount of its capital stock actually paid in; and if the president or cashier thereof shall knowingly or wilfully issue, or cause or suffer to be issued, bills or notes of said corporation, exceeding double the amount of its capital stock actually paid in, such president or cashier shall be deemed guilty of a misdemeanor, and on conviction thereof shall be puished by imprisonment not less than one year, nor more than five years, at the discretion of the court.

Being under consideration,

Mr. Hoxsey moved to substitute in the place thereof a new section to be called section nine, as follows :

That it shall be the duty of said bank, at the time of the expiration of its present charter or act of incorporation, to call in and cancel or destroy the whole circulation of said bank, and in no case to reissue any portion thereof; and it shall be the duty of said bank, before it shall issue any circulating notes, to produce before the Treasurer of this State an amount of circulating notes equal to the amount that said bank may lawfully issue; and it shall be the duty of the said Treasurer to register and countersign the same to such an amount as said bank may legally issue, by virtue of this act; and in case the said bank shall, under and by virtue of this act, issue or cause to be issued any unregistered and uncountersigned notes, the president and cashier who may sign or issue the same shall be deemed guilty of a misdemeanor, and shall be punished by fine and imprisonment, at the discretion of the court before whom such conviction may be had.

Mr. Allen moved to lay said substitute on the table.

Which motion was agreed to, and said snbstitute laid on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows—

Ayes—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Stults—12.

Nays—Messrs. Depew, Hoxsey—2.

So said section was agreed to.

The remaining sections of said bill were then considered and agreed to.

The amendments made in the House of Assembly to said bill having been read and concurred in, the bill was ordered to be re-engrossed, and the amendments embodied therein, and have a final reading.

The bill entitled,

An act to incorporate the Hunterdon County Bank,

And the amendments made thereto in the House of Assembly,

Were taken up.

Mr. Hoxsey presented the opinion of the Attorney General in relation to said bill, and called for the reading of the same.

Which was read as follows—

OPINION OF THE ATTORNEY-GENERAL.

My opinion has been desired by Senator Hoxsey, of Passaic, upon the three first sections of an act to incorporate the Hunterdon Bank, being Senate No. 8.

The first section contains a proviso, declaring that the present stockholders of an association organized under the General Banking Law, and now known as "The Hunterdon County Bank," shall have the first right to subscribe to the stock of the new bank, to the extent of five thousand dollars; and if they neglect to subscribe for ten days, then other citizens may do so.

I do not find anything in that section liable to legal objection. The provision allowing the present stockholders in an existing institution to subscribe, is altogether a privilege, not a constraint—and they can do so or not, at their option; and the Legislature would have no authority to abridge any of the rights which the stockholders of the existing bank have already acquired by organizing under the provisions of the General Banking Law.

The second section declares, that if the stockholders of the present association shall not choose to subscribe for the stock of the bank incorporated under this charter, "then and in that case the bank incorporated under this charter shall take and receive, of each and every of the said owners of said stock in said association, his, her, or their stock therein, and shall pay in cash therefor to said stockholder or stockholders the full amount which shall have been actually paid into said association, upon his, her, or their certificate or certificates of stock," &c.

If by this section is meant that the stockholders of the present bank shall part with their stock, by force of that act, and without their assent, then such a provision is, I think, illegal and void. But I do not understand the section to go so far: it does say that the stockholders of the new bank shall take the stock of the old bank at a certain price, but it does not say that any stockholder of the existing bank shall part with his or her stock. The Legislature have no right to say so. The stock of that bank is as much private personal property as the grain or hay in the farmer's barn; and it will not be pretended that any Legislature can compel the farmer to part with either at a price they should fix.

In the third section it is provided that the present association, the "Hunterdon County Bank," shall be merged in the new banking company; the directors of the existing association shall signify their acceptance by a certificate, signed by their president and cashier; and from that time all the property, real and personal, of the existing association shall vest in and be deemed and taken to belong to the new company chartered by this act.

I do not think that the directors of the association have any legal right to dissolve the existing corporation, and, without the assent of the stockholders, vest all the estate, real and personal, of the existing bank in a new institution.

The directors of a corporation are but the agents of the stockholders; and while acting within the scope of their authority, their acts will bind the stockholders.—(Ang. and Ames on Corp., 239—242.) But certainly it is not incident to their office to dispose of the property of the individual stockholders without their assent, and, according to the terms of this section, against their consent; for the act makes no provisions for obtaining any consent of the stockholders, but vests absolutely in the directors the power to dissolve that corporation; and then, in the words of the section, from that time all the property, real and personal, of the said association shall vest in and be deemed and taken as belonging to the new company."

In the State of South Carolina it kas been held, that the officers of a corporation could not dissolve it without the assent of the great body of the society.—(Smith v. Smith, 3 Des. (S. C.) Chanc. Rep., 557.)

An act of the Legislature repealing the act of incorporation passed with the assent of the corporation, would undoubtedly be sufficient. Ang. and Ames. on Corp. 658. See references and note (3.)

This third section is liable I think to a very serious objection—supposing that the Legislature has the power of dissolving the corporation with the mere assent of the Directors, can it be pretended that

the Legislature can take away the whole of the real and personal estate of the stockholders of that association, and vest it absolutely in a new corporation, without any compensation whatever to the original owners? And yet such is the express language of the bill. As soon as the "certificate of acceptance," signed by the president and cashier of the existing association, is filed with the Treasurer of this State, "from that time all the property, real and personal, of said corporation shall vest in and be deemed and taken as belonging to the new company chartered by this act;" and not the slightest provision is made in the bill to pay the stockholders any compensation whatever for "all property, real and personal," thus taken.

The statement of such a proposition will furnish the only argument requisite to show that no such power can exist in any Legislature.

R. P. THOMPSON,
ATT'Y GEN'L.

TRENTON, N.J., Feb. 13, 1855.

Mr. Hoxsey moved that the further consideration of said bill be postponed to the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Depew, Hoxsey, Somers—3.

NAYS—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—14.

So said motion was not agreed to.

The amendments having been read, considered and concurred in, and

The ayes and nays being demanded and ordered upon the question of ordering said bill to be re-engrossed, and the amendments to be embodied therein, and have a final reading, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults—12.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Somers—4.

Ordered, That said bill be re-engrossed, the amendments made thereto in the House of Assembly be embodied therein, and that the bill have a final reading.

Mr. Hoxsey offered the following resolution:

Resolved, That the opinion of the Attorney General touching the constitutionality of the act entitled 'an act to incorporate the Hunterdon County Bank,' be entered upon the Journal of the Senate.

Which being read,

Mr. Allen moved to lay said resolution on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—12.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Robertson, Somers—6.

So said motion was agreed to.

The bill entitled,

A further supplement to the act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, approved the twenty-fifth of March, eighteen hundred and fifty-two;

And the amendments made thereto in the House of Assembly,

Were taken up, and

On motion of Mr. Robertson, the further consideration of the same postponed until to-morrow morning.

Mr. Hoxsey moved that the Senate adjourn.

Which motion was not agreed to.

The bill entitled,

An act to incorporate the Newark City Bank,

And the amendments made thereto in the House of Assembly,

Were taken up, and the amendments read and concurred in.

The ayes and nays being demanded and ordered upon the question of ordering said bill to be re-engrossed, the amendments to be embodied therein, and have a final reading, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults—13.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Somers —4.

So said bill was ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

Mr. Hoxsey moved that the Senate adjourn.

Which motion was not agreed to.

The bill entitled,

A further supplement to the act entitled 'an act to erect and establish a banking and insurance company in the town of Newark, and county of Essex,' passed February seventeenth, eighteen hundred and four;

And the amendments made thereto in the House of Assembly,

Was taken up.

The amendments made in the House of Assembly to said bill having been read and concurred in, the bill was ordered to be re-engrossed, and the amendments embodied therein, and have a final reading.

The bill entitled,

An act to incorporate the Burlington Bank,

And the amendments made thereto in the House of Assembly,

Were taken up, and the amendments read and concurred in.

The ayes and nays being demanded and ordered upon the question of ordering said bill to be re-engrossed, the amendments embodied therein, and have a final reading, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Smith, Stults—12.

NAYS—Alexander, (Pres.) Hoxsey, Somers—3.

So said bill was ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

An act to renew the charter of the Morris County Bank, with amendments,

And the amendments made thereto in the House of Assembly,

Were taken up, and the amendments read and concurred in.

The ayes and nays being demanded and ordered upon the question of ordering said bill to be re-engrossed, the amendments to be embodied therein and have a final reading, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Rea, Roberts, Stults—10

NAYS—Messrs. Alexander, (Pres.) Hoxsey—2.

So said bill was ordered to be re-engrossed, the amendments

made thereto in the House of Assembly embodied therein, and have a final reading.

Mr. Allen moved that the Senate now proceed to the consideration of the bills amended in the House of Assembly, and returned to the Senate for the concurrence of the Senate therein, by the message of this afternoon.

Mr. Hoxsey moved to lay said motion on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.), Hoxsey, Somers—3.

NAYS—Messrs. Allen, I. Bonnell, Chetwood, Franklin, Howell, Martin, Rea, Roberts, Stults—9.

So said motion was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

Ayes—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin Howell, Laird, Martin, Rea, Roberts, Smith, Stults—13.

Nays—Messrs. Alexander, (Pres.) Hoxsey, Robertson, Somers—4.

So said resolution was agreed to.

A sealed communication marked 'Nominations,' was received from his Excellency the Governor, by the hands of Mr. Shreve, his Private Secretary.

The bill entitled,

An act to renew the charter of the Trenton Banking Company,

And the amendments made thereto in the House of Assembly,

Were taken up, the amendments read and concurred in, and the bill ordered to be re-engrsssed, the amendments made there-

to in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

An act to extend the charter of the Mechanics' Bank of Burlington;

And the amendments made thereto in the House of Assembly,

Were taken up and the amendments read.

Mr. Hoxsey moved the further consideration of said bill, and the amendments be postponed until to morrow morning.

Which motion was not agreed to.

The same Senator moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Hoxsey, Somers—3.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Smith, Stults—12.

So said motion was not agreed to.

The third section of said bill, as follows:

3. AND BE IT ENACTED, That all the directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation which may be in circulation at the time of its becoming insolvent, and may be jointly or severally prosecuted, at law or in equity, by any receiver or receivers that shall or may be appointed, for the payment of any such bills or notes, as if the same were their joint and several bills or notes, executed by them in their individual capacity; and it shall not be lawful for any director of said corporation to resign his office to avoid such liability; and if any director shall so attempt to resign his office, he shall be and continue liable the same as if no such resignation had been attempted; and such liability of directors shall continue after they cease to be directors, either by resignation or otherwise, if the said corporation was insolvent when they ceased to be

directors; and it shall not be lawful for any director to assign or transfer his stock or property to avoid such liability; and in case of the payment of any such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other: PROVIDED, That no property that shall or may be levied on, or taken in execution, under and by virtue of any judgment or decree in favor of any receiver or receivers, under the provisions of this act, shall be sold until after the expiration of four months from the date of said judgment or decree,

Was then read and considered, and

Mr. Hoxsey moved to strike out the proviso in said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Hoxsey, Robertson—2.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults—14.

So said amendment was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Stults —14.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

So said section was agreed to.

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, Somers—5.

Nays—Messrs. Allen, A. V. Bonnell, I.Bonnell, Chetwood, Franklin, Howell, Laird,Martin, Rea, Roberts, Stults—11.

So said motion was not agreed to.

The fourth section of said bill, as follows:

4. AND BE IT ENACTED, That if the assets of said corporation and the property of said directors shall prove insufficient to redeem the whole of the said bills or notes, then the amount that shall or may be realized from said assets and said property shall be distributed ratably among the holders of the said bills and notes.

Was taken up—and being under consideration,

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Stults—14.

NAYS—Messrs. Depew, Hoxsey—2.

So said section was agreed to.

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

NAYS—Messrs. Allen, A.V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Laird, Martin,Rea, Roberts, Stults—11.

So said motion was not agreed to.

The fifth section of said bill as follows:

5. AND BE IT ENACTED, That the stockholders of said corporation, at the time of its becoming insolvent, other than said directors, shall be jointly and severally liable to any receiver or receivers that shall or may be appointed as aforesaid, to an amount sufficient to redeem the said bills and notes, after the assets of said corporation and the property of said directors shall have been distributed as aforesaid: PROVIDED, That no stockholder other than said directors shall be made liable to an amount

exceeding the par value of the stock held by him at the time said corporation becomes insolvent; and if that amount shall not be required for the full redemption of said bills and notes, then the said stockholders shall be liable in the ratio of the said stock so held by them, and it shall not be lawful for any such stockholder to assign or otherwise transfer his stock or other property to avoid such liability.

Being under consideration, and

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults—12.

NAYS—Messrs. Depew, Hoxsey, Robertson—3.

So said section was agreed to.

The remaining sections of said bill, and the amendments made to the same in the House of Assembly, were read, and the amendments concurred in.

The ayes and nays being demanded and ordered upon the question of ordering said bill to be re-engrossed, the amendments to be embodied therein, and have a final reading, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Laird, Martin, Rea, Roberts, Stults—10.

NAYS—Messrs. Depew, Hoxsey, Robertson—3.

So said bill was ordered to be re-engrossed, the amendments made thereto in the House of Assembly to be embodied therein, and have a final reading.

Mr. Stults, from the Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 63, entitled

A supplement to an act entitled 'an act to incorporate the Warren Railroad Company;

RALPH C. STULTS,
One of said Committee.

March 21, 1855.

Mr. Allen moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act to protect the people of the state of New Jersey against ignorant practitioners of physic and surgery.

Which was read for the first time by its title, and ordered to have a second reading.

Mr. Hoxsey moved that the bill be referred to a special committee.

Which motion was agreed to, and said bill referred to Messrs. Chetwood, Martin and Laird.

On motion of Mr. Howell,

The Senate then adjourned.

FRIDAY, March 23, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Geissenheimer.

The journal of the previous day was read and approved.

Mr. Franklin presented a petition from C. P. Stokes and others, inhabitants of Woodbury, in favor of the passage of the supplement to the charter of the Red Bank and Woodbury Turnpike and Macadamized Road Company, authorizing said company to take toll on their road through the main street in the town of Woodbury.

Which was ordered to be laid on the table without reading.

The same Senator presented a remonstrance from James B. Caldwell and others, citizens of the town of Woodbury, upon the same subject.

Which was ordered to lie on the table without reading.

The same Senator, in pursuance of notice heretofore given, asked and obtained leave to introduce

A bill entitled,

An act to authorize the inhabitants of the townships of Mantua, Woolwich and Greenwich, in the county of Gloucester, to vote by ballot at their town meetings.

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

Mr. Depew, from the Committee on Passed Bills, reported as follows—

The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 116, entitled,

A further supplement to an act entitled 'an act for the better relief and employment of the poor of the county of Salem;

Also,

Senate bill No. 52, entitled,

An act to incorporate the Camden and Blackwoodtown Turnpike Company;

Also,

Senate bill No. 107, entitled

A supplement to the act entitled 'an act to authorize the inhabitants of the township of Morris, in the county of Morris, to vote by ballot at their town meetings,' passed February twenty-third, eighteen hundred and forty-three;

Also,

Senate bill No. 109, entitled

An act to confirm the title of the Masonic Lodge No. 14, of Mount Holly, to certain real estate;

Also,

Senate bill No. 50, entitled,

An act making a further appropriation for the prosecution of the geological survey of this State,

Also,

Senate bill No. 87, entitled

An act in relation to the Census or Enumeration of the Inhabitants of this State,

Also,

Senate bill No. 141, entitled

Supplement to the act entitled 'an act to incorporate the Camden and Atlantic Railroad Company,' approved March nineteenth, eighteen hundred and fifty-two,

Also,

Senate bill No. 19, entitled

A supplement to an act entitled 'an act to establish the Cumberland Bank, at the town of Bridgeton, in the county of Cumberland, New Jersey,' passed the fifteenth day of February, eighteen hundred and sixteen,

Also,

Senate bill No. 14, entitled

An act to extend the charter of the Farmers' Bank of New Jersey, with amendments.

DANIEL D. DEPEW,
Chairman of said Com'e.

March 22, 1855.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled

A further supplement to the act entitled 'an act to erect and establish a banking and insurance company in the town of Newark, and county of Essex,' passed February seventeen, eighteen hundred and four;

Also,

The re-engrossed bill entitled

An act to renew the charter of the Sussex Bank, with amendments;

Also,

The re-engrossed bill entitled,

An act to incorporate the Farmers' and Mechanics' Bank at Camden,

Also,

The re-engrossed bill entitled,

An act to renew the charter of the Morris County Bank, with amendments;

Also,

The re-engrossed bill entitled,

An act to extend the charter of the Burlington County Bank at Medford,

And find the same to be severally correctly re-engrossed.

The re-engrossed bill entitled,

An act to extend the charter of the Burlington County Bank at Medford,

Was taken up and read a third time.

Mr. Hoxsey moved that the further consideration of said bill be postponed to the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey, Robertson—4.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain—14.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers, Smith—7.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill and has ordered said bill to be re-engrossed, and has passed the same.

The re-engrossed bill entitled,

An act to incorporate the Farmers' and Mechanic's Bank at Camden,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—15.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson—5.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill and has caused said bill to be re-engrossed, and passed the same.

The re-engrossed bill entitled,

An act to renew the charter of the Sussex Bank, with amendments,

Said bill was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Allen, A. V. Bonnell, I.Bonnell, Chetwood, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Stults, Swain—13.

Nays—Messrs. Alexander, (Pres.) Bramhall, Cowperthwaite, Depew, Hoxsey. Robertson, Smith—7.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The re-engrossed bill entitled,

An act to renew the charter of the Morris County Bank, with amendments,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I.Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Robertson, Stults, Swain—11.

NAYS—Messrs. Alexander, (Pres), Bramhall, Depew, Hoxsey, Laird, Rea, Roberts, Somers, Smith—9.

The engrossed bill entitled,

An act to incorporate the City Bank of Perth Amboy,

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood,

Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Cowperthwaite, Depew, Hoxsey, Robertson, Somers—7.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act relative to the Princeton Bank,

Was taken up upon its final passage.

Mr. Hoxsey offered the following preamble and resolution:

Whereas, The Princeton Bank has neglected to give notice, as required by law, of its intended application to this Legislature for such act of incorporation—therefore,

Resolved, That it would be improper, inexpedient and wrong to incorporate said bank without notice.

Which were read, and pending the consideration of the same,

Mr. Allen moved that the Senate proceed to vote on said preamble and resolution without further debate.

Which motion was agreed to, and

The ayes and nays being demanded and ordered upon the question of agreeing to said preamble and resolution, were as follows—

AYES—Messrs. Bramhall, Depew, Rea, Robertson—4.

NAYS—Messrs. Alexander, (Pres.) Allen. A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Howell, Martin, Roberts, Smith, Stults, Swain—12.

So said preamble and resolution were not agreed to.

The consideration of said bill was then resumed;

And having been read a third time,

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Stults, Swain—11.

NAYS—Messrs. Alexander, (Pres.), I. Bonnell, Bramhall, Depew, Hoxsey, Rea, Robertson, Somers, Smith—9.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 23, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

A further supplement to an act entitled 'an act to incorporate the city of Newark,'

In which the concurrence of the Senate is requested.

I am also directed to inform the Senate that the House of Assembly has concurred in the following concurrent resolution from the Senate:

Resolved (Assembly concurring), That the concurrent resolution by which the two Houses agreed to adjourn on Thursday, the 29th of March, be rescinded;

And also,

That the House of Assembly will continue their sessions until the bills for chartering and re-chartering the banks now before the Senate have been passed, and as many more of the same character as may be introduced.

P. D. VROOM, Clerk.

Mr. Roberts moved that the vote by which

The re-engrossed bill entitled,

An act to renew the charter of the Morris County Bank, with amendments,

Was disagreed to upon its final passage,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—15.

NAYS—Messrs. Bramhall, Depew—2.

So said motion was agreed to, and the vote re-considered accordingly.

The re-engrossed bill entitled,

A further supplement to the act entitled 'an act to erect and establish a banking and insurance company in the town of Newark, and county of Essex,' passed February seventeenth, eighteen hundred and four;

Was taken up and read a third time,

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—14.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers—6.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the Honse of Assembly to said bill,

and has ordered said bill to be re-engrossed, and has passed the same.

Mr. Roberts moved that

The re-engrossed bill entitled,

An act to renew the charter of the Morris County Bank, with amendments,

Be placed upon its final passage,

Which motion was agreed to.

Said bill was then taken up,

And having been read a third time,

Upon the question,

Shall this re engrossed bill pass ?

It was decided in the affirmative as follows :

Ayes—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Rea, Roberts, Robertson, Stults, Swain—13.

Nays—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Smith—5.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The re-engrossed bill entitled,

An act to incorporate the Bay City Company,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass ?

It was decided in the affirmative, as follows :

AYES—Messrs. Alexander, (Pres.), Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Somers, Smith, Swain—14.

NAYS—Messrs. A. V. Bonnell, Hoxsey, Robertson—3.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The bill from the House of Assembly entitled

A supplement to an act entitled 'an act to incorporate the Almonesson and Westville Turnpike Company,' passed the eleventh day of March, A.D., eighteen hundred and fifty-three,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Franklin, Laird, Martin, Roberts, Smith, Stults—12.

NAYS—Messrs. Hoxsey, Somers—2.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled

An act to incorporate the Hudson Land and Improvement Company,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—15.

NAYS—Mr. Hoxsey—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled,

A further supplement to the act entitled 'an act respecting public schools in the city of Trenton,' approved March sixth, one thousand eight hundred and fifty;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Roberts, Robertson, Somers, Smith Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

The bill from the House of Assembly entitled

An additional supplement to an act entitled 'an act to incorporate the Belleville Railroad and Transportation Company,' passed February sixteenth, eighteen hundred and thirty-six;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Alexander, (Pres) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain —18.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled,

A further supplement to the act entitled "An act to authorize the business of Banking," approved February twenty-seventh, eighteen hundred and fifty,

And the amendments made thereto in the House of Assembly,

Were taken up upon their final passage.

Mr. Allen moved that the further consideration of said bill be postponed for the present.

Which motion was agreed to, and the further consideration postponed accordingly.

The bill entitled,

An act to incorporate the Bordentown Banking Company,

And the amendments made thereto in the House of Assembly,

Were taken up, the amendments read and concurred in, the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

An act to incorporate the Central Bank of New Jersey;

And the amendments made thereto in the House of Assembly,

Were taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

An act to incorporate the Freehold Banking Company;

And the amendments made thereto in the House of Assembly,

Were taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

An act to incorporate the Hackettstown Bank, of the county of Warren, at Hackettstown;

And the amendments made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

A further supplement to the act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, approved the twenty-fifth of March, eighteen hundred and fifty-two;

And the amendments made thereto in the House of Assembly,

Were taken up, the amendments read and concurred in, the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly to be embodied therein, and have a final reading.

The bill from the House of Assembly, entitled

An act to incorporate the city of Hoboken,

And the amendments made thereto in the House of Assembly,

Were taken up, the amendment read and concurred in.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has concurred in said amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled,

An act to incorporate the Newark City Bank.

And find the same to be correctly engrossed.

Mr. Allen moved a suspension of the rule regulating the order of business, in order to put said bill upon its final passage at this time.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Cowperthwaite, Depew, Hoxsey, Robertson, Somers—7.

So said motion was agreed to, and said rule was suspended accordingly.

Said bill was then taken up, and read a third time.

Upon the question,

Shall this re engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—14.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers—6.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

Mr. Howell having been called to the chair,

The President moved that the vote by which

The bill entitled,

An act relative to the Princeton Bank,

Was disagreed to upon its final passage,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Mr. A. V. Bonnell moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time,

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up, and having been read a third time,

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Stults, Swain—12.

NAYS—Messrs. Alexander, (Pres), Depew, Rea, Robertson, Somers, Smith—6.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill entitled,

A further supplement to the act entitled 'an act to erect and establish a banking and insurance company in the town of Newark, and county of Essex,' passed February seventeen, eighteen hundred and four;

Also,

The bill entitled,

An act to incorporate the Bay City Company,

Also,

The bill entitled,

An act to renew the charter of the Sussex Bank, with amendments,

Also,

The bill entitled,

An act to extend the charter of the Burlington County Bank at Medford,

Also,

The bill entitled,

An act to renew the charter of the Morris County Bank, with amendments;

Also,

The bill entitled,

An act to incorporate the Farmers' and Mechanics' Bank at Camden,

Also,

The bill entitled,

An act to incorporate the Newark City Bank,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

'I certify that this bill originated in the Senate.'

A. R. THROCKMORTON,
Secretary of Senate.

On motion of Mr. Roberts,

The Senate then adjourned.

At three o'clock the Senate met.

Mr. Chetwood, from the special committee to which was referred

The bill entitled,

An act to protect the people of the state of New Jersey against ignorant practitioners of physic and surgery,

Reported the same,
Without amendment.

The bill from the House of Assembly entitled,

A further supplement to an act entitled 'an act to incorporate the city of Newark;

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Municipal Corporations.

The bill from the House of Assembly entitled,

A supplement to an act entitled 'an act to authorize the sale of certain real estate of John T. Halsey, deceased late of Elizabethtown, in the county of Essex,' passed November four, eighteen hundred and forty-two,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly, entitled

An act supplementary to the act entitled 'an act for the relief of persons imprisoned on civil process;

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly, entitled

A supplement to 'an act granting certain privileges to Firemen, &c.' passed February twenty-three, eighteen hundred and thirty-eight;

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill entitled,'

An act to extend the time for completing the New York Elizabethtown and Morristown Railroad.

Was taken up, read a second time, the first and only section

considered and agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. Robertson moved a suspension of so much of the twenty-fourth rule as prescribes that no private bill shall be read a second time unless printed copies thereof shall be in possession of the Senate, in order to dispense with the printing of

The bill entitled,

An act for the relief of the Methodist Church at Madison, in the county of Morris.

Which motion was agreed to, and so much of said rule was suspended accordingly.

On motion of the same Senator, the printing of said bill was then dispensed with.

Said bill was then taken up, read a second time, considered by sections, and agreed to, and ordered to be engrossed, and have a third reading.

The bill from the House of Assembly entitled,

An act to enable the Trustees of the Newark Academy more efficiently to promote the objects of their Institution;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the South Jersey Central and Air Line Railroad Company,

Was taken up upon its second reading.

Mr. Howell moved that the further consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Martin, Roberts, Robertson, Somers, Smith, Stults—13.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, Laird, Rea, Swain—5.

So said motion was agreed to, and the further consideration of said bill postponed accordingly.

The bill from the House of Assembly entitled,

A supplement to an act entitled 'an act for the government and regulation of the State Prison,' approved April sixteenth, eighteen hundred and forty-six,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. Roberts moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Alexander, (Pres) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Franklin Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled,

A further supplement to the act entitled 'an act for the pre-

servation of Sheep,' approved April fourteenth, eighteen hundred and forty-six ;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. I. Bonnell moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows :

AYES—Messrs. A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—17.

NAYS—Mr. Alexander, (Pres.)—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

The bill from the House of Assembly entitled,

A further supplement to the act entitled 'an act to encourage the establishment of Mutual Loan and Building Associations, approved the twenty-eighth day of February, eighteen hundred and forty-nine,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. A. V. Bonnell moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill

or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain —18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

Mr. Stults offered the following resolution:

Resolved, That when the Senate adjourns, it adjourn to meet again on Monday next, at three o'clock P.M.

Which was read and agreed to.

The bill from the House of Assembly, entitled

A further supplement to an act entitled 'an act to incorporate the city of Newark,'

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. Chetwood moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Depew, Franklin, Laird, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled,

A further supplement to an act entitled 'an act concerning Roads,' approved April sixteenth, eighteen hundred and forty-six,

Was taken up, read a second time, and pending the consideration of the same,

On motion of Mr. Depew, the further consideration of the same was postponed to the next session of the Legislature.

The bill entitled,

An act to incorporate the Delaware and Hudson Telegraph Company;

Was taken up, read a second time, and

The first section thereof as follows—

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That Alvan C. Goell, James B. Dayton, Richard Fetters, Joseph Porter and Abraham Browning, and their associates, shall be, and

they are hereby created, a body politic and corporate, by the name of "The Delaware and Hudson Telegraph Company;" and by that name they shall have power to make, and construct, and maintain one or more lines of telegraph from the Delaware river, near Philadelphia, to the Hudson river, near New York, and to submerge or otherwise construct said line or lines across said rivers into said cities of New York and Philadelphia, so as to form a complete telegraphic communication between them; and shall have power to construct branches from said line or lines into any of the counties of this State; and shall have power to enter upon all lands, for the purpose of surveying, laying out, and constructing said lines of telegraph, or any of them; and shall have power to connect and contract with any other lines and telegraph companies for the use of or transmission of communications over their lines; and shall have power to do all other acts and things necessary or proper to carry into effect the objects of this act, and shall have such other incidental corporate powers as are enumerated in the first section of the act concerning corporations: PROVIDED, That said company shall not interfere with the vested corporate rights of any other telegraph company or companies in this State, nor do any damage to, nor take the private property of any individual or individuals without his, her, or their consent; posts may be erected along the highways, provided the public travel shall not thereby be impeded or injured.

Being under consideration,

Mr. Stults moved to amend the same by inserting in the twelfth line of the printed bill, after the word 'contract,' the words 'or consolidate'—also by inserting in the nineteenth line, after the word 'consent,' the word 'but.'

A division of the question upon agreeing to said amendments being called for, and the ayes and nays being demanded and ordered upon the question of agreeing to amendment first proposed to said section, were as follows—

AYES—Messrs. Chetwood, Franklin, Rea, Roberts, Stults, Swain—6.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Howell, Hoxsey, Laird, Martin, Robertson, Somers, Smith—11.

So said amendment was not agreed to.

The second amendment proposed to said bill was then agreed to.

Pending the consideration of the seventh section,

Mr. Hoxsey moved that said bill be re-committed to the Committee on Corporations.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Depew, Franklin, Howell, Hoxsey, Laird, Rea, Robertson, Somers, Smith—12.

NAYS—Messrs. Roberts, Stults—2.

So said motion was agreed to, and the bill re-committed to the Committee on Corporations.

The bill entitled,

An act to incorporate the Mount Vernon Hotel Association;

Was taken up, read a second time, considered by sections, amended and agreed to, and

Pending the consideration of the title,

On motion of Mr. Hoxsey, the further consideration thereof was postponed for the present.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled

An act to incorporate the Hunterdon County Bank,

And find the same to be correctly engrossed.

Said bill was then taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

Ayes—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain —12.

Nays—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers—6.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

On motion of Mr. Smith,

The bill from the House of Assembly, entitled

An act to incorporate the South Jersey Central and Air Line Railroad Company,

Was made the special order of the day for Tuesday next.

On motion of Mr. Hoxsey, the Senate went into executive session.

After some time spent therein, the Senate again came to order.

Mr. Hoxsey moved that the Senate adjourn.

Which motion was not agreed to.

The same Senator moved that the Senate adjourn, and

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Hoxsey, Rea, Roberts, Robertson, Somers—8.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Smith, Stults, Swain—9.

So said motion was not agreed to.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled,

An act to incorporate the Burlington Bank,

And find the same to be correctly engrossed.

Mr. Allen moved that said bill be taken upon its final passage.

Which motion was agreed to.

Said bill was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows :

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Laird Martin, Rea, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, Somers—5.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill and has caused said bill to be re-engrossed, and passed the same.

On motion of Mr. Hoxsey,

The Senate then adjourned.

MONDAY, March 26, 1855.

At 3 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The journal of the previous day was read and approved.

Mr. Allen presented a remonstrance from William Braddock and others, citizens of the township of Medford, in the county of Burlington, against the act to set off from said township a new township, to be called the township of Lumberton,

Which was ordered to lie on the table without reading.

The same Senator presented a remonstrance from Nathan Wilkins and others, citizens of the same township, upon the same subject,

Which was ordered to lie on the table without reading.

Mr. Franklin presented a petition from J. C. Smallwood and others, citizens of Woodbury, in the county of Gloucester, in favor of the passage of the law authorizing the Red Bank Turnpike Company to take toll on their road through the main street of said town of Woodbury,

Which was ordered to lie on the table without reading.

Mr. Depew, from the Senate Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 30, entitled

An act to incorporate the Newark City Bank,

Also,

Senate bill No. 20, entitled

An act to incorporate the Farmers' and Mechanics' Bank at Camden,

Also,

Senate bill No. 27, entitled,

A further supplement to the act entitled 'an act to erect and establish a banking and insurance company in the town of Newark, and county of Essex,' passed February seventeen, eighteen hundred and four;

Also,

Senate bill No. 26, entitled,

An act to renew the charter of the Morris County Bank, with amendments;

Also,

Senate bill No. 15, entitled

An act to extend the charter of the Burlington County Bank at Medford,

Also,

Senate bill No. 21, entitled

An act to renew the charter of the Sussex Bank, with amendments,

Also,

Senate bill No. 113, entitled,

An act to incorporate the Bay City Company,

DANIEL D. DEPEW,
Chairman of said Com'e.

March 24, 1855.

Mr. Rea, from the Committee on Municipal Corporations, to which was referred

The bill from the House of Assembly, entitled

A further supplement to an act entitled 'an act to incorporate the city of Newark,

Reported the same,
Without amendment.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill from the House of Assembly, entitled

An act supplementary to the act entitled 'an act for the relief of persons imprisoned on civil process,

Reported adversely to said bill, with a recommendation that the Senate disagree to the same.

Which report was accepted.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The same Senator, from the same committee, to which was referred

The bill from the House of Assembly, entitled

A supplement to 'an act granting certain privileges to Firemen, &c.' passed February twenty-three, eighteen hundred and thirty-eight;

Reported the same
Without amendment.

The bill entitled,

An act to alter and amend the articles of association of the Bank of New Jersey,

Which was postponed some days since upon its second reading,

Was taken up.

Mr. Hoxsey offered the following resolution:

Resolved, That the further consideration of said bill be postponed to the next session of the Legislature, for want of legal notice.

Which was read, and

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows—

AYES—Messrs. Depew, Hoxsey, Robertson, Somers—4.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Cowperthwaite, Franklin, Howell, Laird, Martin, Stults—9.

So said resolution was not agreed to

The first section of said bill as follows—

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, that Benjamin D. Stelle, David F. Randolph, James Dayton, Benjamin M. Clark, Robert M. Honeyman, and others, the shareholders in "The Bank of New Jersey," organized under the provisions of the act entitled, "An act to authorize the business of Banking," and the several acts supplemental thereto, by its articles of association, dated the fifth day of May, eighteen hundred and fifty-four, and filed in the office of the Secretary of State on the eighteenth day of May, eighteen hundred and fifty-four, and their successors and assigns, shall be, and they hereby are created and constituted, a body corporate and politic, by the name and style of "The Bank of New Jersey," and by that name shall be known in law, and shall have power to sue and be sued, and to answer and defend, in all courts of law or equity; and by that name may also have, purchase, possess and enjoy, to them, their successors and assigns, lands, tenements and hereditaments, goods, chattels and effects, necessary and proper for the use and purposes of the said corporation, and the same to grant, alien, and dispose of at pleasure, for the benefit of said corporation; and also to have a common seal, and the same to alter at pleasure; and also to make such by-laws, and establish such rules and regulations, as shall seem expedient, and put the same in execution; and may also appoint all such officers and agents as shall be necessary to carry into effect the powers vested in the said corporation by this act, and allow such compensation for their services as shall be right and proper.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out all after the words 'New Jersey,' in the tenth line of said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.), Depew, Hoxsey, Robertson, Somers—5.

NAYS—Messrs. Allen, I.Bonnell, Cowperthwaite, Franklin, Howell, Martin, Stults—9.

So said amendment was not agreed to.

Said section was then agreed to.

The fourth section of said bill as follows—

4. AND BE IT ENACTED, That all the property and estate, rights and credits, both real and personal, of every kind and description, belonging to the said the Bank of New Jersey, under and by virtue of the said articles of association, shall be vested in and belong to the corporation hereby created, to be claimed, had, held, and enjoyed by it and its assigns absolutely; and the corporation hereby created shall be bound for and liable to pay all the debts and liabilities, of every kind and description, for which the said association, organized as aforesaid, is bound and liable.

Being under consideration,

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Allen, I.Bonnell, Cowperthwaite, Franklin, Howell, Laird, Rea, Stults—8.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Martin, Robertson—5.

So said section was agreed to.

The thirteenth section of said bill, as follows:

13. AND BE IT ENACTED, That the rate of discount at which loans may be made by the said corporation shall not exceed the legal rate of interest in this State for the time being: PROVIDED, That nothing herein contained shall be construed to prohibit the said corporation from dealing in bills of exchange, and the purchase and sale thereof.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the proviso at the end of the section.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, Somers—5.

NAYS—Messrs. Allen, I.Bonnell, Cowperthwaite, Franklin, Howell, Martin, Stults—7.

So said amendment was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

AYES—Messrs. Allen, I. Bonnell, Cowperthwaite, Franklin, Howell, Laird, Martin, Somers, Stults—9.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey,—3.

So said section was agreed to.

The fourteenth section of said bill as follows:

14. AND BE IT ENACTED, That the said corporation shall not issue any bills or notes of a less denomination than one dollar; that all the bills or notes issued by said corporation shall be signed by the president, and countersigned by the cashier, and, when so signed and issued, promising the payment of money to any person, or to his order, or to bearer, shall be binding and obligatory on the said corporation, as if made by a natural person or persons; but that the bills or notes issued by said corperation shall not at any time exceed double the amount of its capital stock paid in; and if the president or cashier thereof shall knowingly or wilfully issue, or cause or suffer to be issued, bills or notes of said corporation, exceeding double the amount of its capital stock actually paid in, such president or cashier shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding five thousand dollars, at the discretion of the court.

Being under consideration.

Mr. Allen moved to amend the same by striking out, in the

last line, the words, 'fine not exceeding five thousand dollars,' and inserting in the place thereof the following words—'imprisonment not less than one year, nor more than five years.'

Mr. Hoxsey moved to amend said motion by inserting in the last line, after the word 'dollars,' proposed to be stricken out, the words—'or imprisonment not less than one year, nor more than five years,' and not striking out the words—'fine not exceeding five thousand dollars.'

Mr. Allen moved to lay the motion to amend the amendment on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Allen, Cowperthwaite, Franklin, Laird, Martin, Rea, Stults—7.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Howell, Hoxsey, Robertson, Somers—7.

So said motion was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to the amendment to the amendment, were as follows—

AYES—Mr. Depew—1.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea—9.

So the amendment to the amendment was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to the amendment to said section, were as follows—

Ayes—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Stults—10.

Nays—Mr. Depew—1.

So said amendment was agreed to.

Mr. Hoxsey moved to amend said section by striking out the word 'one' in the second line, and inserting the word 'five' in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Mr. Hoxsey—1.

NAYS—Messrs. Alexander (Pres.) Allen, 1. Bonnell, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Somers, Stults—11.

So said amendment was not agreed to.

The section as amended was then agreed to.

The sixteenth section of said bill as follows—

16. AND BE IT ENACTED, That all the directors of said corporation shall be residents of this State, and shall be jointly and severally liable for the payment of all the bills or notes of said corporation which may be in circulation at the time of its becoming insolvent, and may be jointly or severally prosecuted, at law or in equity, by any receiver or receivers that shall or may be appointed, for the payment of any such bills or notes, as if the same were their joint and several bills or notes, executed by them in their individual capacity; and it shall not be lawful for any director of said corporation to resign his office to avoid such liability; and if any director shall so attempt to resign his office, he shall be and continue liable the same as if no such resignation had been attempted; and such liability of directors shall continue after they cease to be directors, either by resignation or otherwise, if the said corporation was insolvent when they ceased to be directors; and it shall not be lawful for any director to assign or transfer his stock or property to avoid such liability; and in case of the payment of any such bills or notes by any of said directors, the other directors who may be liable shall account in the same way as other joint debtors are accountable to each other: PROVIDED, That no property that shall or may be levied on, or taken in execution, under and by virtue of any judgment or decree in favor of any receiver or receivers, under the provisions of this act shall be sold until after the expiration of four months from the date of said judgment or decree.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out in the

fifth line the words, 'payment of any such bills or notes,' and inserting in the place thereof the words, 'settling up of the affairs of said bank.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Robertson, Somers—6.

NAYS—Messrs. Allen, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Smith, Stults—8.

So said amendment was not agreed to.

The same Senator moved to amend said section by striking out the *proviso* at the end of the same.

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey—3.

NAYS—Messrs. Allen, I. Bonnell, Cowperthwaite, Franklin, Martin, Rea, Stults—7.

So said amendment was not agreed to.

Said section was then agreed to.

The twenty-first section of said bill as follows—

21. AND BE IT ENACTED, That unless the directors of the said corporation shall, within six months hereafter, assent to this act, and file a written assent thereto, under the seal of the said corporation, in the office of the Secretary of State, this act shall be deemed and considered void.

Being under consideration,

Mr. Hoxsey moved to strike out said section.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

NAYS—Messrs. Allen, I. Bonnell, Cowperthwaite, Martin, Rea, Somers, Stults—7.

So said motion was not agreed to.

Said section was then agreed to.

The remaining section of said bill was then considered and agreed to.

Mr. Hoxsey moved that the vote by which the fourth section was agreed to

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey—3.

NAYS—Messrs. Allen, I. Bonnell, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Somers, Stults—10.

So said motion was not agreed to.

The ayes and nays being demanded and ordered upon the question of ordering said bill to be engrossed, and have a third reading, were as follows—

AYES—Messrs. Allen, I. Bonnell, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Somers, Stults—10.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson—4.

So said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed, and have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 23, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has concurred in the amendments made by the Senate to

The bill entitled,

An act to incorporate the Port Monmouth Association for building on and improving certain lands located at Port Monmouth, in the county of Monmouth,

And have ordered said bill to be re-engrossed, and the amendments made in the Senate to be embodied therein, and have passed the same.

P. D. VROOM, Clerk.

The bill entitled,

An act relative to the Red Bank and Woodbury Turnpike or Macadamized Road Company,

Was taken up, read a second time, the first and only section considered, amended and agreed to, and the bill ordered to have a third reading.

The bill entitled,

An act to prevent the issue or circulation of small bank notes

Was taken up upon its second reading.

Mr. Allen moved that the further consideration of said bill be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Allen, Cowperthwaite, Franklin, Howell, Laird, Martin, Robertson, Smith, Stults—9.

NAYS—Mr. Hoxsey—1.

So said motion was agreed to, and the further consideration of said bill postponed accordingly.

The bill entitled,

An act to protect the people of the state of New Jersey against ignorant practitioners of physic and surgery,

Was taken up, read a second time, and

The first section thereof, as follows—

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That from the time of the passage of this act, it shall not be lawful for any person to practice physic or surgery without first having passed an examination before a board of examiners, whose certificate of qualification shall be their license to practice.

Being under consideration,

Mr. Laird moved to amend the same by inserting after the word 'person,' at the end of the second line, the words, 'not previously licensed, or who are authorized to practice under the existing laws of the State'—and also by striking out, in the fourth and fifth lines, the words, 'whose certificate of qualification shall be their license to practice.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Somers, Smith, Stults—13.

NAYS—Mr. Hoxsey—1.

So said amendments were agreed to.

The section as amended was then agreed to.

Pending the consideration of the seventh section,

On motion of Mr. Martin, the further consideration of said bill was postponed for the present.

The bill from the House of Assembly entitled

An act to incorporate the Port Monmouth Transportation Company,

Was taken up, read a second time, considered by sections, amended and agreed to, the amendments ordered to be engrossed, and the bill to have a third reading.

The bill from the House of Assembly entitled,

An act to define that part of the division line between the counties of Middlesex and Somerset, lying between the Kingston Bridge and Little Rocky Hill, in this State,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. Allen, from the Committee on the Judiciary, to which was referred

The bill entitled,

An act for incorporating Vessel Building Associations,

Reported the same,
Without amendment.

Said bill was then taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed, and have a third reading.

On motion of Mr. Allen,

The Senate then adjourned.

TUESDAY, March 27, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Maxwell.

The journal of the previous day was read and approved.

Mr. Allen presented a petition from Charles S. Green and others, residents of the townships of Medford, Southampton and Northampton, in the county of Burlington, in favor of the passage of a law to set off from said townships the new township of Lumberton,

Which was ordered to lie on the table without reading.

The same Senator presented a petition from Samuel Tyler and others, residents of the same townships, upon the same subject,

Which was ordered to lie on the table without reading.

The same Senator presented a petition from Benjamin Deacon and others, residents of the same townships, upon the same subject,

Which was ordered to lie on the table without reading.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The amendments made in the Senate to

The bill from the House of Assembly, entitled,

An act to incorporate the Port Monmouth Transportation Company;

Also,

That they have examined

The re-engrossed bill entitled,

An act to incorporate the Hackettstown Bank, of the county of Warren, at Hackettstown;

Also,

The re-engrossed bill entitled,

An act to incorporate the Central Bank of New Jersey, at Hightstown;

Also,

The re-engrossed bill entitled,

A further supplement to the act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, approved the twenty-fifth of March, eighteen hundred and fifty-two;

Also,

The re-engrossed bill entitled,

An act to incorporate the Bordentown Banking Company;

Also,

The re-engrossed bill entitled,

An act to incorporate the Gloucester County Bank at Woodbury;

Also,

The re-engrossed bill entitled,

An act to incorporate the Freehold Banking Company;

Also,

The re-engrossed bill entitled,

An act to extend the charter of the Mechanics' Bank of Burlington;

Also,

The re-engrossed bill entitled,

An act to renew the charter of the Trenton Banking Company,

Also,

The bill entitled,

An act for the relief of the Methodist Episcopal Church at Madison, in the county of Morris;

Also,

The bill entitled,

An act relative to the Red Bank and Woodbury Turnpike and Macadamized Road Company,

And find the same to be severally correctly engrossed.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill entitled,

An act to authorize the inhabitants of the townships of Mantoa, Woolwich and Greenwich, in the county of Gloucester, to vote by ballot at their town meetings,

Reported adversely to said bill, and asked to be discharged from the further consideration of the same.

Which report was accepted and agreed to.

The bill from the House of Assembly entitled,

A further supplement to the act authorizing the inhabitants of the several townships to vote by ballot,

Reported the same,
Without amendment.

Mr. Laird, from the Committee on Corporations, to which was re-committed

The bill entitled,

An act to incorporate the Delaware and Hudson Telegraph Company;

Reported the same,
Without amendment.

Mr. Hoxsey moved a suspension of so much of the twenty-third rule as prescribes that one days notice, at least, shall be

given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A further supplement to the act entitled 'an act respecting annual reports to the legislature of railroad and canal companiet,' approved February twenty-fourth, eighteen hundred and fifty two.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill entitled,

An act to incorporate the Hunterdon County Bank,

Also,

The bill entitled,

An act to incorporate the Burlington Bank.

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The re-engrossed bill entitled

An act to extend the charter of the Mechanics Bank of Burlington,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres), Bramhall, Depew, Hoxsey, Robertson, Somers, Smith—7.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The re-engrossed bill entitled,

An act to incorporate the Bordentown Banking Company,

Was taken up, and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers, Smith—7.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The re-engrossed bill entitled

An act to incorporate the Central Bank of New Jersey, at Hightstown,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers, Smith—7.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill and has ordered said bill to be re-engrossed, and has passed the same.

The re-engrossed bill entitled,

An act to renew the charter of the Trenton Banking Company,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—14.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers—6.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred

in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The re-engrossed bill entitled,

An act to incorporate the Freehold Banking Company,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain —12.

NAYS—Messrs. Alexander, (Pres.), Bramhall, Cowperthwaite, Depew, Hoxsey, Robertson Somers, Smith—8.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered the same to be re-engrossed, and has passed the same.

The re-engrossed bill entitled,

An act to incorporate the Hackettstown Bank, of the county of Warren, at Hackettstown,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Laird Martin, Rea, Roberts, Stults, Swain —13.

Nays—Messrs. Alexander, (Pres.)Bramhall, Cowperthwaite, Depew, Hoxsey, Robertson, Smith—7.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill and has caused said bill to be re-engrossed, and passed the same.

The re-engrossed bill entitled,

An act to incorporate the Gloucester County Bank at Woodbury

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass ?

It was decided in the affirmative, as follows:

Ayes—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain —12.

Nays—Messrs. Alexander, (Pres.) Bramhall, Cowperthwaite, Depew, Hoxsey, Robertson, Somers—7.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The engrossed bill entitled,

An act for the relief the Methodist Episcopal Church at Madison, in the county of Morris,

Was taken up, and read a third time.

Upon the question,

Shall this re engrossed bill pass ?

It was decided in the affirmative as follows :

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—20.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act relative to the Red Bank and Woodbury Turnpike and Macadamized Road Company,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.)Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Robertson, Smith, Stults, Swain—17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly, entitled,

An act to incorporate the Port Monmouth Transportation Company,

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Alexander, (Pres) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Laird, Martin, Robertson, Somers, Smith, Stults, Swain—15.

Nays—None.

Ordered, That the President sign said bill the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly entitled

An act to define that part of the division line between the counties of Middlesex and Somerset, lying between the Kingston Bridge and Little Rocky Hill, in this State,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen. A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Rea, Stults, Swain—12.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Laird Robertson, Somers, Smith—7.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled

An act to enable the Trustees of the Newark Academy more efficiently to promote the objects of their Institution;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Smith, Stults, Swain—14.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Robertson, Somers—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to alter and amend the articles of association of the Bank of New Jersey,

And find the same to be correctly engrossed.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill entitled,

A further supplement to the act entitled 'an act respecting annual reports to the legislature of railroad and canal companies,' approved February twenty-fourth, eighteen hundred and fifty-two.

Reported the same,
Without amendment.

The engrossed bill entitled,

An act to alter and amend the articles of association of the Bank of New Jersey,

Was taken up upon its final passage.

Mr. Hoxsey offered the following preamble and resolution:

Whereas, The law of this State provides that all applications for acts of incorporation, or for alteration and amendment of acts of incorporation, shall be published for six weeks before the session of the Legislature; and also further provides, that when application shall be made for the alteration of any charter, that it shall be the duty of the stockholders and directors of such company to state in such notice, specifically, the alteration to be applied for: *And whereas*, the State Bank of New Brunswick have applied for alteration of their articles of association without any notice of any kind whatever; therefore,

Resolved, That it would be inexpedient and improper, under such circumstances, to further act upon said bill, and that the same be postponed to the next session of the Legislature.

Which being read, and

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows—

AYES—Messrs. Bramhall, Depew, Hoxsey, Robertson, Somers, Smith—6.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Stults, Swain—14.

So said resolution was not agreed to.

Said bill was then read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Stults, Swain—12.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Rea, Robertson, Somers, Smith—8.

Ordered, That the President sign said bill, the Secretary

carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill entitled,

An act to extend the charter of the Mechanics Bank of Burlington,

Also,

The bill entitled,

An act to incorporate the Bordentown Banking Company;

Also,

The bill entitled,

An act to incorporate the Central Bank of New Jersey, at Hightstown,

Also,

The bill entitled,

An act to renew the charter of the Trenton Banking Company,

Also,

The bill entitled,

An act to incorporate the Freehold Banking Company;

Also,

The bill entitled,

An act to incorporate the Hackettstown Bank, of the county of Warren, at Hackettstown;

Also,

The bill entitled,

An act to incorporate the Gloucester County Bank at Woodbury;

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

On motion of Mr. Howell,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act for incorporating Vessel Building Associations,

Also,

A bill entitled,

An act to extend the time for completing the New York, Elizabethtown and Morristown Railroad,

And find the same to be severally correctly engrossed.

The re-engrossed bill entitled,

A further supplement to the act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, approved the twenty-fifth of March, eighteen hundred and fifty-two;

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Robertson, Somers, Smith, Stults, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill and has ordered said bill to be re-engrossed, and has passed the same.

The engrossed bill entitled,

An act to extend the time for completing the New York, Elizabethtown and Morristown Railroad,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Robertson, Somers, Smith, Stults—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary car

ry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

An act for incorporating vessel building associations,

Was taken up, and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly entitled,

An act to incorporate the Mount Holly and Tuckerton Railroad Company,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. I. Bonnell, Bramhall, Depew, Rea, Somers—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled,

A further supplement to the act entitled 'an act to authorize the business of Banking,' approved February twenty-seventh, eighteen hundred and fifty,

And the amendments made thereto in the Senate,

Were taken up and read a third time.

Mr. Hoxsey moved that the further consideration of said bill and amendments be postponed for the present.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.), I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Martin, Robertson, Somers, Smith—10.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Rea, Roberts, Stults, Swain—10.

So said motion was not agreed to.

Mr. A. V. Bonnell moved that the further consideration of said bill be postponed for the present, and be made the special order of the day for Thursday next.

Mr. Hoxsey moved to amend said motion by adding the following words—'and that said bill be re-printed.'

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Hoxsey, Martin, Robertson, Somers, Smith —5.

NAYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Rea, Roberts, Stults, Swain—14.

So said amendment was not agreed to.

The motion to postpone said bill for the present, and make the same the special order of the day for Thursday next, was then agreed to, and the further consideration of the same postponed accordingly.

A message was received from the House of Assembly by the hands of Mr. Moore, the Assistant Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 27, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

A supplement to the act entitled 'an act to incorporate the National Insurance Company,' approved February nineteenth, one thousand eight hundred and fifty-two;

Also,

The bill entitled,

An act to incorporate the Jersey City Commercial and Improvement Company;

Also,

The bill entitled,

A further supplement to an act incorporating the Rahway Fire Company, passed December third, eighteen hundred and twenty-three;

Also,

The bill entitled,

An act to incorporate the Bellman's Creek Draining Company;

Also,

The bill entitled,

A supplement to the act entitled 'an act incorporating the

inhabitants of the townships in the county of Ocean, designating their powers, and regulating their meetings,' approved April fourteenth, eighteen hundred and forty-six;

Also,

The bill entitled,

An act to incorporate the Children's Aid Society, in the city of Newark;

Also,

The bill entitled,

An act relating to Telegraph Companies;

Also,

The bill entitled,

An act to confirm the election held pursuant to the forty-fifth section of the act entitled 'an act to establish the city of Elizabeth;'

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly has passed

The bill from the Senate, entitled,

An act to incorporate the Peapack and Plainfield Railroad Company;

Also,

The bill from the Senate, entitled

Supplement to an act entitled 'an act to incorporate the Elizabethtown Savings Institution,' approved March first, eighteen hundred and fifty,

With sundry amendments, in which the concurrence of the Senate is requested.

Also,

That the House of Assembly has caused

The bill entitled,

An act to incorporate the city of Hoboken,

With the amendments made by the House of Assembly to the Senate amendments, and concurred in by the Senate, to be re-engrossed, with said amendments embodied therein, and has passed the same.

P. D. VROOM, Clerk.

The bill from the House of Assembly, entitled

A supplement to the act entitled 'an act to incorporate the National Insurance Company,' approved February nineteenth, one thousand eight hundred and fifty-two,

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The bill from the House of Assembly entitled,

An act to confirm the election held pursuant to the forty-fifth section of the act entitled 'an act to establish the city of Elizabeth,'

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill from the House of Assembly entitled,

An act relating to Telegraph Companies,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly entitled,

An act to incorporate the Children's Aid Society, in the city of Newark,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

A supplement to the act entitled 'an act incorporating the inhabitants of the townships in the county of Ocean, designating their powers and regulating their meetings,' approved April fourteenth, eighteen hundred and forty-six,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill from the House of Assembly entitled

An act to incorporate the Bellman's Creek Draining Company,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled,

A further supplement to an act incorporating the Rahway Fire Company, passed December third, eighteen hundred and twenty-three,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly, entitled

An act to incorporate the Jersey City Commercial and Improvement Company,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

Mr. Howell moved that the Senate proceed to the consideration of the special order of the day, being

The bill from the House of Assembly, entitled

An act to incorporate the South Jersey Central and Air Line Railroad Company.

Which motion was agreed to.

Said bill was then taken up, read a second time, and considered by sections.

The fourth section of said bill, as follows—

4. And be it enacted, That in case it shall happen that an election of directors should not be made during the day when, pursuant to this act, it ought to be made, the said corporation shall not for that cause be deemed to be dissolved, but such election may be held at any other time, and the directors for the time being shall continue to hold their offices until others shall have been chosen in their places.

Being under consideration,

Mr. Hoxsey moved to amend the same by inserting after the word 'time,' in the fourth line, the words 'in conformity with law.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

Ayes—Messrs. Alexander, (Pres.) A. V. Bonnell, Hoxsey, Laird, Somers—5.

Nays—Messrs. Allen, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Martin, Rea, Roberts, Robertson, Smith, Stults, Swain—14.

So said amendment was not agreed to.

Said section was then agreed to.

The sixth section of said bill as follows—

6. And be it enacted, That the president and directors of the said company be and they are hereby authorized and invested with all the rights and powers necessary and expedient to survey, lay out, and construct a railroad, commencing at a point on the Raritan Bay, at least six miles easterly of the termination of the Camden and Amboy Railroad, and thence on the most eligible route (not approaching nearer said railroad) through the counties of Monmouth, Ocean, Burlington, Camden, Gloucester, and Salem or Cumberland, to a point on the Delaware Bay at least thirty miles below the city of Camden: Provided always, That it shall be lawful for the said company to make or construct a branch railroad, from some convenient point on said main road, to be determined on by the

said company, to run to either of the villages of Tom's River or Barnegat, in the county of Ocean, in like manner to be determined upon by the said company, not exceeding one hundred feet in width for either branch or main road, except in such places where, from the depth of the excavation or the height of the embankment, it is necessary to take more land for the slope and protection of the side banks of said railroad, in which case so much land as may be necessary for the purpose, and no more, shall be taken, with as many sets of tracks and rails as the company may deem necessary; and it shall and may be lawful for the said president and directors, their agents, engineers, superintendents, or others in their employ, to enter at all times upon all lands and waters for the purpose of exploring, surveying, levelling, or laying out the route or routes of such railroad, or lateral and branch road, and of locating the same, and to make and erect all necessary works, buildings, and appendages thereof, doing no unnecessary injury to private or other property; and when the route or routes of such road, or lateral and branch roads, shall have been determined upon, and a survey of such route or routes deposited in the office of the Secretary of State, then it shall be lawful for the said company, by its officers, agents, engineers, superintendents, contractors, workmen, and other persons in their employ, to enter upon, take possession of, hold, have, use, occupy, and excavate any such lands, and to erect embankments, bridges, ferries, and all other works necessary to lay rails, and to do all other things which shall be suitable or necessary for the completion or repair of the said road or roads, subject to such compensation as hereinafter provided: PROVIDED ALWAYS, That the payment, or tender of the payment, of all damages for the occupancy of lands through which the said railroad or railroads may be laid out, be made before the said company, or any person under their direction or employ, shall enter upon or break ground in the premises, except for the purpose of surveying and laying out said road or roads, unless consent of the owner or owners of such lands be first had and obtained.

Being under consideration,

Mr. Allen moved to amend the same by striking out the word 'six' in the fourth line, and inserting the word 'ten' in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Franklin, Laird, Martin, Somers, Swain—8

NAYS—Messrs. I. Bonnell, Bramhall, Chetwood, Cowperth-

waite, Depew, Howell, Hoxsey, Rea, Roberts, Robertson, Smith, Stults—12.

So said amendment was not agreed to.

Said section was then agreed to.

The twenty-first section of said bill as follows—

21. AND BE IT ENACTED, That this act shall take effect immediately.

Being under consideration,

Mr. A. V. Bonnell moved to strike out said section, and substitute in the place thereof a new section to be called section 21, as follows—

21. AND BE IT ENACTED, That the Governor, the Chancellor, the Justices of the Supreme Court, the Attorney-General, and the Judges of the Court of Errors of this State, when travelling for the purpose of discharging the duties of their offices, and the members of both Houses of the Legislature of this State, during their annual or other sessions, shall pass and re-pass on the railroad of said company in their cars, free of charge.

The ayes and nays being demanded and ordered upon the question of agreeing to said substitute, were as follows:

AYES—Messrs. Alexander, (Pres), Allen, A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Laird, Martin, Rea, Roberts, Somers, Swain—12.

NAYS—Messrs. Bramhall, Depew, Howell, Hoxsey, Robertson, Smith, Stults—7.

So said substitute was agreed to.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed, and have a third reading.

A message was received from His Excellency, the Governor by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, March 24, 1855.

Hon. Wm. C. Alexander,
President of the Senate,

SIR—I have this day signed and approved the following bills which originated in your House:

An act to incorporate the Somerset County Agricultural Society;

Also,

An act for the promotion of the agricultural interests of this state;

Also,

An act making a further appropriation for the prosecution of the geological survey of this State,

Also,

An act to confirm the title of the Masonic Lodge No. 14, of Mount Holly, to certain real estate;

Also,

A further supplement to an act entitled 'an act for the better relief and employment of the poor of the county of Salem;

Also,

An act in relation to the Census or Enumeration of the Inhabitants of this State,

Also,

A supplement to the act entitled 'an act to authorize the inhabitants of the township of Morris, in the county of Morris, to vote by ballot at their town meetings,' passed February twenty-third, eighteen hundred and forty-three;

Also,

An act to authorize the inhabitants of the township of Bernards, in the county of Somerset, to vote by ballot at their town meetings.

Also,

Supplement to the act entitled 'an act to incorporate the Camden and Atlantic Railroad Company,' approved March nineteenth, eighteen hundred and fifty-two,

Also,

An act to incorporate the Bay City Company,

Also,

An act relative to the purchase of Webster's Dictionary for the use of Common Schools;

Also,

A supplement to the act entitled 'an act to incorporate the Warren Railroad Company;

RODMAN M. PRICE.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill from the House of Assembly, entitled

An act to confirm the election held pursuant to the forty-fifth section of the act entitled 'an act to establish the city of Elizabeth,'

Reported the same,
Without amendment.

Mr. Chetwood moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its second reading at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was taken up, read a second time, considered by sections andagreed to, and ordered to have a third reading.

Mr. Chetwood moved a suspension of so much of the twenty-

fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey, Laird Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly entitled

A further supplement to the act authorizing the inhabitants of the several townships to vote by ballot,

Was taken up, read a second time, considered by sections, amended and agreed to, the amendments ordered to be engrossed, and the bill to have a third reading.

A message was received from the House of Assembly by the hands of Mr. Moore, the Assistant Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 27, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill from the Senate, entitled

An act to authorize the trustees of the Methodist Episcopal Church at Cedar Grove, in the county of Mercer, to sell and convey certain real estate;

Also,

The bill from the Senate, entitled,

An act for the limitation of actions, approved April the sixteenth, eighteen hundred and forty-six;

Also,

The bill from the Senate entitled,

An act relative to the Lunatic Asylum;

Also,

The bill from the Senate entitled,

An act for the relief of Tabitha Martin, widow of Merrick Martin, deceased, of the county of Middlesex;

Also,

The bill from the Senate entitled,

An act for the relief of Mary Carter, widow of John Carter deceased, of the county of Burlington;

Also,

The bill from the Senate entitled,

A further supplement to the act entitled 'an act for the more easy partition of lands held by co-parcenors, joint tenants and tenants in common;

Also,

The bill from the Senate entitled,

A supplement to an act entitled 'an act to incorporate the New Jersey Exploring and Mining Company,' approved February fifteenth, one thousand eight hundred and forty-nine—and a supplement thereto, approved February twelfth, one thousand eight hundred and fifty-two;

Also,

The bill from the Senate entitled,

An act to incorporate the Dover Mining and Manufacturing Company;

Also,

The bill from the Senate entitled,

A supplement to the act entitled 'an act to regulate the State Library,' approved April the tenth, eighteen hundred and forty-six;

Also,

The bill from the Senate entitled,

An act to change the name of the First Presbyterian Church of South Trenton to the Second Presbyterian Church of Trenton;

Also,

The bill from the Senate entitled,

A supplement to the act approved April the sixteenth, eighteen hundred and forty-six, and entitled 'an act constituting the Court of Oyer and Terminer and general jail delivery;

Also,

The bill from the Senate entitled,

A further supplement to the act entitled 'an act against usury,' approved April tenth, eighteen hundred and forty-six;

Also,

The bill from the Senate entitled,

A further supplement to an act entitled 'an act to incorporate the New Jersey Railroad and Transportation Company,' passed the seventh day of March, one thousand eight hundred and thirty-two;

Also,

The bill from the Senate entitled,

A further supplement to the act entitled 'an act respecting the Court of Chancery,' approved April the sixteenth, one thousand eight hundred and forty-six;

Also,

The bill from the Senate entitled,

A further supplement to an act entitled 'an act relative to the Court of Errors and Appeals,' approved April the sixteenth, eighteen hundred and forty-six.

Without amendment.

HARRISON MOORE, Assistant Clerk.

The bill entitled,

A further supplement to an act entitled 'an act to incorporate the New Jersey Railroad and Transportation Company,' passed the seventh day of March, one thousand eight hundred and thirty-two;

Also,

The bill entitled,

A further supplement to the act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, approved the twenty-fifth of March, eighteen hundred and fifty-two;

Also,

The bill entitled,

A suplement to an act entitled 'an act to incorporate the New Jersey Exploring and Mining Company,' approved Feburary fifteenth, one thousand eight hundred and forty-nine—and a supplement thereto, approved February twelfth, one thousand eight hundred and fifty-two,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on

Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each :

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

Mr. Hoxsey, from the Senate Joint Committee on Public Printing, reported

A bill entitled,

Supplement to the act entitled 'an act relating to the Public Printing,'

Which was read for the first time by its title, and ordered to have a second reading.

The bill entitled,

An act to incorporate the Peapack and Plainfield Railroad Company,

And the amendments made thereto in the House of Assembly,

Were taken up, the amendments read and concurred in, the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly to be embodied therein, and have a final reading.

The bill entitled,

Supplement to an act entitled 'an act to incorporate the Elizabethtown Savings Institution,' approved March first, eighteen hundred and fifty,

And the amendments made thereto in the House of Assembly,

Were taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly, entitled

A supplement to the act entitled 'an act to incorporate the National Insurance Company,' approved February nineteenth, one thousand eight hundred and fifty-two;

Also,
The bill from the House of Assembly, entitled

An act to incorporate the Children's Aid Society, in the city of Newark;

Also,

The bill from the House of Assembly, entitled

An act to incorporate the Bellman's Creek Draining Company;

Also,

The bill from the House of Assembly, entitled,

An act to incorporate the Jersey City Commercial and Improvement Company;

Also,

The bill from the House of Assembly entitled

A further supplement to an act incorporating the Rahway Fire Company, passed December third, eighteen hundred and twenty-three;

Reported the same severally,
Without amendment.

The bill from the House of Assembly entitled,

An act to incorporate the West Jersey and Philadelphia pressed Brick Company;

Was taken up, and having been previously read a second time, considered by sections and agreed to, was ordered to have a third reading.

The bill entitled,

An act relative to the Lunatic Asylum;

Also,

The bill entitled,

An act to incorporate the Dover Mining and Manufacturing Company,

Also,

The bill entitled

An act for the relief of Tabitha Martin, widow of Merrick Martin, deceased of the county of Middlesex,

Also,

The bill entitled,

A supplement to the act entitled "an act for the limitation of actions," approved April the sixteenth, eighteen hundred and forty-six,

Also,

The bill entitled

A further supplement to the act entitled 'an act for the more easy partition of lands held by co-parceners, joint tenants and tenants in common;

Also

The bill entitled,

An act for the relief of Mary Carter, widow of John Carter, deceased, of the county of Burlington;

Also,

The bill entitled,

An act to authorize the trustees of the Methodist Episcopal Church at Cedar Grove, in the county of Mercer, to sell and convey certain real estate;

Also,

The bill entitled,

A supplement to the act approved April the sixteenth, eighteen hundred and forty-six, and entitled 'an act constituting the Court of Oyer and Terminer and general jail delivery;

Also,

The bill entitled,

A further supplement to the act entitled 'an act respecting the Court of Chancery,' approved April the sixteenth, eighteen hundred and forty-six;

Also,

The bill entitled,

A further supplement to an act entitled 'an act relative to the Court of Errors and Appeals,' approved April the sixteenth, eighteen hundred and forty-six,

Also,

The bill entitled,

An act to change the name of the First Presbyterian Church of South Trenton to the Second Presbyterian Church of Trenton;

Also,

The bill entitled,

A supplement to the act entitled 'an act to regulate the State Library,' approved April the tenth, eighteen hundred and forty-six;

Also,

The bill entitled,

A further supplement to the act entitled 'an act against usury,' approved April tenth, eighteen hundred and forty-six;

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

'I certify that this bill originated in the Senate.'

A. R. THROCKMORTON,
Secretary of Senate.

On motion of Mr. Howell,

The Senate then adjourned.

WEDNESDAY, March 28, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Maxwell.

The Journal of the previous day was read and approved.

Mr. Allen presented a petition from Samuel Wright and others, of the county of Burlington, asking the passage of the law to set off a new township in said county from the townships of Medford, Northampton and Southampton, to be called the township of Lumberton,

Which was ordered to lie on the table without reading.

Mr. Roberts presented a remonstrance from John W. Mickle, Benjamin P. Howell and A. Browning, citizens of the counties of Camden and Gloucester, against the passage of the law authorizing the Trenton Water-Power Company to erect a dam at Scudder's Falls, in the river Delaware,

Which was read, and referred to the Committee on the Judiciary.

Mr. Depew moved a suspension of so much of the twenty-third rule as prescribes that one day's notice at least shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled

A supplement to an act entitled 'an act to incorporate the Hudson and Hackensack Tunnell and Through Cut company.

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled,

Supplement to an act entitled 'an act to incorporate the Elizabethtown Savings Institution,' approved March first, eighteen hundred and fifty,

Also,

The re-engrossed bill entitled

An act to incorporate the Peapack and Plainfield Railroad Company,

Also,

The amendments made in the Senate to

The bill from the House of Assembly entitled

A further supplement to the act authorizing the inhabitants of several townships to vote by ballot;

Also,

An act to incorporate the South Jersey Central and Air Line Railroad Company.

And find the same to be severally correctly engrossed.

Mr. Depew, from the Senate Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 16, entitled

An act to incorporate the Burlington Bank,

Also,

Senate bill No. 8, entitled

An act to incorporate the Hunterdon County Bank;

Also,

Senate bill No. 43, entitled

An act to incorporate the Freehold Banking Company;

Also,

Senate bill No. 42, entitled,

An act to renew the charter of the Trenton Banking Company,

Also,

Senate bill No. 71, entitled

An act to extend the charter of the Mechanics Bank of Burlington,

Also,

Senate bill No. 44, entitled

An act to incorporate the Hackettstown Bank, of the county of Warren, at Hackettstown;

Also,

Senate bill No. 84, entitled,

An act to incorporate the Gloucester County Bank at Woodbury;

Also,

Senate bill No. 37, entitled,

An act to incorporate the Central Bank of New Jersey, at Hightstown,

Also,

Senate bill No. 29. entitled

An act to incorporate the Bordentown Banking Company;

Also,

Senate bill No. 122, entitled

A suplement to an act entitled 'an act to incorporate the New Jersey Exploring and Mining Company,' approved February fifteenth, one thousand eight hundred and forty-nine—and a supplement thereto, approved February twelfth, one thousand eight hundred and fifty-two,

Also,

Senate bill No. 74, entitled

A further supplement to an act entitled 'an act to incorporate the New Jersey Railroad and Transportation Company,' passed the seventh day of March, one thousand eight hundred and thirty-two;

DANIEL D. DEPEW,
Chairman of said Com'e.

March 27, 1855.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill from the House of Assembly, entitled

A supplement to the act entitled 'an act incorporating the inhabitants of the townships in the county of Ocean, designating their powers and regulating their meetings,' approved April fourteenth, eighteen hundred and forty-six,

Reported the same
With amendments.

The same Senator, from the same Committee, to which was referred

The bill from the House of Assembly entitled,
An act relating to Telegraph Companies,

Also,

The bill from the House of Assembly entitled,
A supplement to an act entitled 'an act to authorize the sale of certain real estate of John T. Halsey, deceased late of Elizabethtown, in the county of Essex,' passed November four, eighteen hundred and forty-two,

Reported the same severally,
Without amendment.

The re-engrossed bill entitled,

An act to incorporate the Peapack and Plainfield Railroad Company,

Was taken up, and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative, as follows:

Ayes—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—17.

Nays—None.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill and has ordered said bill to be re-engrossed, and has passed the same.

The bill from the House of Assembly, entitled

An act to erect a draw or swing bridge over the north branch of Rancocas Creek,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I.Bonnell, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled,

A further supplement to the act authorizing the inhabitants of the several townships to vote by ballot,

And the amendments made thereto in the Senate,

Were taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I.Bonnell, Chetwood,

Cowperthwaite, Depew, Franklin, Laird, Martin, Roberts, Smith, Stults, Swain—13.

Nays—Messrs. Alexander, (Pres.) Hoxsey, Robertson, Somers—4.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The re-engrossed bill entitled,

Supplement to an act entitled 'an act to incorporate the Elizabethtown Savings Institution,' approved March first, eighteen hundred and fifty,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Martin, Rea, Roberts, Robertson, Somers, Stults, Swain—14.

Nays—None.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill and has caused said bill to be re-engrossed, and passed the same.

Mr. Hoxsey offered the following preamble and resolutions:

Whereas, The various bank bills that were essentially amended in the House of Assembly were returned to this House for their concurrence therein: *And whereas*, also, by mistake and oversight, said amendments were not read three times as required by section iv. art. 6, of the Constitution, which provides

that all bills and joint resolutions shall be read three times in each House before the final passage thereof; therefore,

Resolved, That the Governor be requested to return the several bills in his hands to the Senate, in order that they may be passed, in conformity with the Constitution of this State.

Which were read.

Mr. Allen moved to lay the same on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Rea, Roberts, Smith, Stults, Swain—15.

NAYS—Messrs. Depew, Hoxsey—2.

So said motion was agreed to, and said preamble and resolution laid on the table.

The bill entitled,

A supplement to the act entitled 'an act to provide for the Public Printing,

Was taken up, read a second time, considered by sections, amended and agreed to, and ordered to be engrossed, and have a third reading.

The bill from the House of Assembly, entitled

A supplement to 'an act granting certain privileges to Firemen, &c.' passed February twenty-three, eighteen hundred and thirty-eight;

Was taken up, read a second time, the first and only section considered and agreed to, and the bill ordered to be engrossed, and have a third reading.

The bill from the House of Assembly entitled,

An act relating to Plank and Turnpike Roads,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

Supplement to an act entitled 'an act to authorize the inhabitants of School District No. 3, in Union township, Camden county, to raise money to build school-houses, and for the support of Public Schools,' approved March seventh, eighteen hundred and fifty;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

An act to establish an Independent battallion in the city of Newark,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly, entitled

An act to incorporate the Children's Aid Society, in the city of Newark;

Was taken up, rend a second time, considered by sections, amended and agreed to, and the amendments ordered to be engrossed, and the bill to have a third reading.

The bill entitled,

A further supplement to the act entitled 'an act respecting annual reports to the legislature of railroad and canal companies,' approved February twenty-fourth, eighteen hundred and fifty-two.

Was taken up, read a second time, considered by sections amended and agreed to, and ordered to be engrossed, and have a third reading.

On motion of Mr. Hoxsey, said bill as amended was ordered to be re-printed.

The bill fromthe House of Assembly entitled

An act to incorporate the Bellman's Creek Draining Company,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

A further supplement to an act incorporating the Rahway Fire Company, passed December third, eighteen hundred and twenty-three,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

Mr. Stults moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly entitled

A supplement to the act entitled 'an act to incorporate the National Insurance Company,' approved February nineteenth, one thousand eight hundred and fifty-two,

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled,

An act regulating to Telegraph Companies;

Was taken up, read a second time, considered by sections, and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled

A supplement to the act entitled 'an act incorporating the inhabitants of the townships in the county of Ocean, designating their powers, and regulating their meetings,' approved April fourteenth, eighteen hundred and forty-six;

Was taken up, read a second time, considered by sections, amended and agreed to, the amendments ordered to be engrossed, and the bill to have a third reading.

On motion of Mr. Cowperthwaite,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled

A supplement to an act entitled 'an act to incorporate the Hudson and Hackensack Tunnell and Through Cut company.

Reported the same,
Without amendment.

Mr. Depew, from the Senate Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 80, entitled

A further supplement to the act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, approved the twenty-fifth of March, eighteen hundred and fifty-two;

Also,

Senate bill No. 93, entitled

An act relative to the Lunatic Asylum,

Also,

Senate bill No. 110, entitled

An act to incorporate the Dover Mining and Manufacturing Company;

Also,

Senate bill No. 114, entitled,

An act for the relief of Tabitha Martin, widow of Merrick Martin, deceased, of the county of Middlesex;

Also,

Senate bill No. 119, entitled

An act for the limitation of actions, approved April the sixteenth, eighteen hundred and forty-six;

Also,

Senate bill No. 120, entitled

A further supplement to the act entitled 'an act for the more easy partition of lands held by co-parcenors, joint tenants and tenants in common;

Also,

Senate bill No. 123, entitled,

An act for the relief of Mary Carter, widow of John Carter deceased, of the county of Burlington;

Also,

Senate bill No. 127, entitled,

An act to authorize the trustees of the Methodist Episcopal Church at Cedar Grove, in the county of Mercer, to sell and convey certain real estate;

Senate bill No. 137, entitled

A supplement to the act approved April the sixteenth, eighteen hundred and forty-six, and entitled 'an act constituting the Court of Oyer and Terminer and general jail delivery;

Also,

Senate bill No. 138, entitled

A further supplement to the act entitled 'an act respecting

the Court of Chancery,' approved April the sixteenth, eighteen hundred and forty-six;

Also,

Senate bill No. 145, entitled

A further supplement to an act entitled 'an act relative to the Court of Errors and Appeals,' approved April the sixteenth, eighteen hundred and forty-six.

Also,

Senate bill No. 146, entitled,

An act to change the name of the First Presbyterian Church of South Trenton to the Second Presbyterian Church of Trenton;

Also,

Senate bill No. 148, entitled

A supplement to the act entitled 'an act to regulate the State Library,' approved April the tenth, eighteen hundred and forty-six;

Also,

Senate bill No. 149, entitled,

A further supplement to the act entitled 'an act against usury,' approved April fourteenth, eighteen hundred and forty-six.'

DANIEL D. DEPEW,
Chairman of said Com'e.

March 28, 1855.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

Supplement to the act entitled 'an act relating to the Public Printing,'

Also,

The bill entitled,

A further supplement to the act entitled 'an act respecting annual reports to the legislature of railroad and canal companies,' approved February twenty-fourth, eighteen hundred and fifty two.

Also,

The amendments made in the Senate,

The bill from the House of Assembly, entitled

An act to incorporate the Children's Aid Society, in the city of Newark;

And find the same to be correctly engrossed.

The bill from the House of Assembly entitled,

An act to incorporate the West Jersey and Philadelphia pressed Brick Company;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative, as follows:

AYES—Messrs. A. V. Bonnell, Chetwood, Franklin, Laird, Martin, Stults—6.

NAYS—Messrs. Alexander, (Pres.), I.Bonnell, Depew, Howell, Hoxsey, Rea, Robertson, Somers, Smith—9.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill entitled,

Supplement to an act entitled 'an act to incorporate the Elizabethtown Savings Institution,' approved March first, eighteen hundred and fifty,

Also,

The bill entitled,

An act to incorporate the Peapack and Plainfield Railroad Company,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The bill from the House of Assembly entitled

An act to incorporate the South Jersey Central and Air Line Railroad Company,

And the amendments made thereto in the Senate,

Were taken up and read a third time.

Mr. A. V. Bonnell moved that the further consideration of said bill be postponed until the next session of the Legislature.

The ayes and nays were demanded and ordered upon the question of agreeing to said motion, and pending the vote,

Mr. Howell moved a call of the Senate, which being sustained and ordered,

The Secretary proceeded to call the Senate, when the following named Senators appeared in their seats, and answered the call:

Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

On motion of the same Senator, the Sergeant-at-arms was despatched for the absent Senator.

After a short absence, the absent Senator appeared in his

seat, and answered to his name upon the vote to agree to the motion to postpone said bill,

When the vote was announced upon the question of agreeing to the motion to postpone said bill to the next session of the Legislature to be as follows—

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, Chetwood, Franklin, Laird, Martin, Somers, Swain—8.

NAYS—Messrs. Allen, I. Bonnell, Bramhall, Cowperthwaite, Depew, Howell, Hoxsey, Rea, Roberts, Robertson, Smith, Stults—12.

So said motion was not agreed to.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, Bramhall, Chetwood, Cowperthwaite, Howell, Hoxsey, Martin, Roberts, Smith—9.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Depew, Franklin, Laird, Rea, Robertson, Somers, Stults, Swain —11.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill from the House of Assembly, entitled

An act to set off from the townships of Northampton, Southampton and Medford, in the county of Burlington, a new township, to be called the township of Lumberton,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, Franklin, Smith—3.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Depew, Hoxsey, Laird, Rea, Roberts, Robertson, Somers, Stults—13.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

Mr. Hoxsey moved that the resolution directing the Secretary to inform the House of Assembly that the Senate will be ready to go into Joint Meeting on Thursday the twenty-ninth day of March instant,

Which was offered some days since, and laid on the table,

Be now taken up.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Roberts, Smith, Stults, Swain—14.

NAYS—Messrs. Alexander, (Pres.), I. Bonnell, Depew, Rea, Robertson, Somers—6.

So said motion was agreed to, and

Said resolution taken up and read.

Mr. Allen moved to amend said resolution by striking out the words 'Thursday the 29th,' and inserting in the place thereof the words 'Friday the 30th.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—11.

NAYS—Messrs. Alexander, (Pres.), I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

So said amendment was agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution as amended, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—11.

NAYS—Messrs. Alexander, (Pres), I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

So said resolution was agreed to, and the Secretary ordered to inform the House of Assembly of the passage thereof.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 28, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill from the Senate entitled,

A Supplement to the act entitled 'an act to incorporate the Camden and Atlantic Land Company,' approved March tenth, eighteen hundred and fifty three,

Without amendment.

Also,

That the House of Assembly have passed

The bill from the Senate entitled,

An act supplementary to an act entitled 'an act establishing a Militia system,' approved April seventeenth, eighteen hundred and forty-six;

Also,

The bill from the Senate entitled,

An act to regulate fishing in the counties of Monmouth and Ocean;

Also,

The bill from the Senate entitled,

A supplement to the act entitled 'an act for the punishment of Crimes.'

With sundry amendments, in which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

Mr. Roberts moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

Upon its final passage at this time.

The bill from the House of Assembly, entitled

Supplement to an act entitled 'an act to authorize the inhabitants of School District No. 3, in Union township, Camden county, to raise money to build school-houses, and for the support of Public Schools,' approved March seventh, eighteen hundred and fifty;

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hox-

sey, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain —17.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill entitled

An act to prevent the issue or circulation of small bank notes

Was taken up and read a second time, and pending the consideration of the first section thereof.

Mr. Allen moved that the further consideration of said bill be postponed to the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Martin, Rea, Smith, Stults, Swain—14.

NAYS—Messrs. Hoxsey, Laird, Roberts, Somers—4.

So said motion was agreed to, and the further consideration of said bill postponed accordingly.

A message was also received from His Excellency the Governor, by the hands of Mr. Shreve, his private Secretary, as follows:

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT,
TRENTON, March 27, 1855.

HON. WILLIAM C. ALEXANDER,
President of the Senate:

SIR—I herewith return the act entitled "An act to incorporate the

Newark City Bank," with objections to approve the same. A bank already exists, with the same title, organized in eighteen hundred and fifty-one, under the act entitled "An act to authorize the business of Banking," and known as the General Banking Law. The object and effect of this act is to give the institution, so organized, and doing a good and remunerative business, (having paid, since it went into operation, seven per cent. annually to its stockholders, and accumulated a surplus, as is shown by the bank returns, thus showing conclusively the success of the general law,) the right to withdraw the securities deposited with the Treasurer for the redemption of its notes, and to transfer their property and stock to the special banking incorporation created by this charter, with the consent of the directors, and to allow the issue of notes, in double the amount of their capital stock paid in, and double what they now can, without security to their bill-holders, beyond the responsibility of directors and stockholders.

This act has been passed without repealing the act authorizing the business of banking, which is still left upon our statute book, although the effect of the bill herewith returned virtually evades and avoids that act. Before passing this act, I conceive it was the duty of the Legislature to have repealed the General Banking Law. My views still remain unchanged from what they were when I communicated to you in my annual message, at the commencement of your session, in which I held that "before acting upon such applications, it will be necessary for you to decide whether it is better to adhere to the principles of the general law, or abolish it and return to special charters. You must decide between the two systems; for it is highly desirable that all banks should be on an equal footing. All engaged in the same pursuit should be under the same law." The question, then, is—which is the better system? The two systems cannot equitably exist at the same time, and none will contend that they ought to be recognized by legislation longer than the existence of the special charters now in force.

I wish strongly to urge adherence to the principles of the general laws, as the safest and best systems of banking; and believing, as I now do, that the general law will afford all the banking facilities required in this State, and afford the most perfect security to bill-holders, I should do violence to a large majority of the people of this State, and my own judgment, were I to approve an act which diminishes the security of the bill-holder, as required by an act which has received their approval, and I hope to see it strictly adhered to, as the true interest and policy of the State.

The bank question was not an issue before the people at the last election: let legislators be elected with a full understanding as to their wish. In strict justice, the numerous applications should be postponed, so that an issue can be made before the people next fall. Let them declare through

their next representatives whether they will have general banks, with full security to the amount of their circulation, or special banks, with a circulation at least double their capital, and without any real security to the note-holders. To their decision we will all bow, but do not, as legislators and representatives, hurriedly grant these charters so strenuously pressed.

I have watched, through the session of this Legislature, with the deepest solicitude and anxiety, every stage of legislation upon this most absorbing and important bank issue; I have sympathized with the members of both Houses in the natural embarrassment caused them by the great pertinacity with which these numerous bills have been pressed by personal friends, through private interests. I have witnessed the combination of those interested in bank applications, from one end of the State to the other, to the number of near thirty charters, pending at one time, in one solid phalanx, in your legislative halls. Was there ever a Legislature so besieged by so numerous and powerful a lobby?

I apprehend that the charter herewith returned was passed through the combination referred to, and the untiring zeal and importunity manifested by those governed by the interest and pecuniary reward of the applicants. It is a large stake pecuniarily that is being played for; there is a great difference in the profits and gains of banks doing business under the general law, and under special acts. Think of it—reflect. Why authorize a bank doing a lucrative business, as shown by its own report, organized under the general law, and giving security for all its issue, to withdraw its securities, and increase its circulation? What good reason is there for this? Is it wise and prudent? Is it for the public good? What is the necessity, what is the consideration to the Legislature to do so liberal and magnanimous an act to a banking institution? What is the reply? No public consideration, but it will allow the institution to make greater gains. Are we legislating for the good of the people, or for corporations alone? Who will believe that any one of these charters would have passed separate and alone?

This act also makes the stockholders of the present association stockholders to the same amount in the company created by this act, with the consent of the directors of the present associatioa. This, to my mind, is a doubtful exercise of authority and power of the Legislature, by vesting property of stockholders of one corporation into another, without consent, thereby impairing the obligation of contracts, in violation of a constitutional provision.

Banks destroy stability of currency and measure of value, by keeping the circulating medium in a state of continual fluctuation, and monetary affairs in periods of excess and curtailment, making the value of the

dollar to-day worth more than one hundred cents, to-morrow worth less besides having in their power to cause a variation of prices, to a great extent, by their alternate expansions and contractions of issues, impairing commercial confidence and disturbing the basis of credit, and pro ducing the greatest pecuniary distress. No system could possibly be more antagonistical to the great principles on which our government rests—the principles of equal rights—than the banking system which will be inaugurated by the passage of the special charters proposed by the Legislature. It is not my desire to overthrow suddenly a banking system, however pernicious, nor to infringe chartered privileges of banks existing. I only desire that they should not be permitted to spread more widely.

I did suppose that experience would have prevented the Legislature from passing any more banking corporations, and that a reform was established by the General Banking Law, and the adoption of my recommendation for the prohibition of small note issues. Gold and silver is necessary to the well-being of the people of the State, and demanded by them for circulation. Let working men remember that every dollar note in circulation displaces an equal amount of gold and silver, and they may do much to relieve themselves from the evils of being paid in small uncurrent and depreciated notes. Currency and commerce will regulate themselves, and government may confine its attention to the more legitimate purposes of political organization, protection of persons and property, and place banking on the same footing with other mercantile pursuits.

The object of a bank charter is to enable those holding it to lend their credit at interest; these charters invest those upon whom they are bestowed with powers and privileges which are not enjoyed by the great mass of the people, and all corporations are liable to the objection, that whatever powers or privileges are given to them, are so much taken from the government of the people.

I feel that I am sending in objections to a bill which has a foregone conclusion in both Houses of the Legislature—that the bill will be passed, notwithstanding my objections. The bank influence is so strong, and the same vote which passed them can pass them again. But in the conscientious discharge of a great public duty, I look with confidence to the people of New Jersey for approval.

That member of the Legislature who can resist the importunity and appeals of the friends of the banks, and their magnified importance—who can resist this mighty torrent which a large, influential, wealthy and talented lobby has been pressing upon them, will deserve and receive the thanks and favors of a grateful constituency. The people of the State are not here to guard their interests—they are at home pursuing their manly

toil—but they trust to you that they shall not be betrayed. Let them not be disappointed.

RODMAN M. PRICE.

Which Message, with the bill accompanying the same, was ordered to lie on the table.

On motion of Mr. Howell,

The Senate then adjourned.

THURSDAY, March 29, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Maxwell.

The Journal of the previous day was read and approved.

Mr. Depew, from the Senate Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 71, entitled

Supplement to an act entitled 'an act to incorporate the Elizabethtown Savings Institution,' approved March first, eighteen hundred and fifty,

Also,

Senate bill No. 126, entitled

An act to incorporate the Peapack and Plainfield Railroad Company,

DANIEL D. DEPEW,
Chairman of said Com'e.

March 28, 1855.

Mr. I. Bonnell moved that the vote by which

The bill from the House of Assembly, entitled

An act to incorporate the West Jersey and Philadelphia pressed Brick Company;

Was disagreed to yesterday upon its final passage,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

Ayes—Messrs. Alexander, (Pres) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Martin, Rea, Roberts, Stults, Swain—13.

Nays—Mr. Hoxsey—1.

So said motion was agreed to, the vote re-considered, and the bill ordered to stand upon its third reading.

Mr. Swain moved that the vote by which

The bill from the House of Assembly, entitled

An act to set off from the townships of Northampton, Southampton and Medford, in the county of Burlington, a new township, to be called the township of Lumberton ;

Was disagreed to yesterday upon its final passage,

Be re-considered.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Depew, Franklin, Martin, Roberts, Stults, Swain—11.

NAYS—Messrs. Howell, Hoxsey, Robertson, Somers—4.

So said motion was agreed to, and the vote re-considered accordingly.

Mr. Allen moved that the further consideration of said bill be postponed to the next session of the Legislature.

Which motion was agreed to, and the further consideration of said bill postponed accordingly.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The amendments made in the Senate to

The bill fromthe House of Assembly entitled

A supplement to the act entitled 'an act incorporating the inhabitants of the townships in the county of Ocean, designating their powers, and regulating their meetings,' approved April fourteenth, eighteen hundred and forty-six ;

And find the same to be correctly engrossed.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows :

HOUSE OF ASSEMBLY, March 28, 1855.

Mr. President :

I am directed to inform the Senate that the House of Assembly has passed

The bill from the Senate entitled,

An act relative to the suppression of the manufacture and sale of intoxicating liquors as a beverage.

With sundry amendments, in which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

Mr. Allen called up for re-consideration

The bill entitled,

An act to incorporate the Newark City Bank,

Which was returned to the Senate yesterday by the Governor, with his objections to approve the same.

Said bill was then taken up, and the objections of the Governor having been read, and the bill re-considered,

Mr. Hoxsey moved that the further consideration of said bill be postponed until the message be printed.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Robertson, Somers—8.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain —11.

So said motion was not agreed to.

Upon the question,

Shall this bill again pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers—6.

Ordered, That the President certify said bill, the Secretary carry it to the House of Assembly, and inform them that said bill having passed both Houses, was sent to the Governor for his approval; that having been returned by the Governor to the Senate with his objections thereto, the Senate has re-considered said bill, and passed the same, and send it to the House of Assembly with the objections of the Governor, and requests the concurrence of the House of Assembly in the action of the Senate.

Mr. Hoxsey called upon the President for his opinion as to whether a vote of three-fifths of the whole Senate is necessary, in order to re-pass a bill incorporating a bank which has been returned by the Governor with his objections, or whether it requires a bare majority of the whole number of the Senate only.

The President informed the Senator that he would give the question such consideration as time would permit, and announce his opinion at the opening of the session in the afternoon.

Mr. Hoxsey moved that

The bill from the House of Assembly, entitled

A further supplement to the act entitled 'an act to authorize the business of Banking,' approved February twenty-seventh, eighteen hundred and fifty,

And the amendments made thereto in the Senate,

Be postponed to the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Depew, Hoxsey, Laird, Martin, Robertson, Somers, Smith—11.

NAYS—Messrs. A. V. Bonnell, Howell, Roberts, Stults, Swain—5.

So said motion was agreed to and the further consideration of said bill postponed accordingly.

The bill entitled,

An act to create the county of Union,

Was taken up upon its final passage, and

On motion of Mr. Martin, the further consideration of the same postponed to the next session of the Legislature.

The bill entitled

A further supplement to the act entitled 'an act respecting annual reports to the legislature of railroad and canal companies,' approved February twenty-fourth, eighteen hundred and fifty-two,

Was taken up upon its final passage.

Mr. A. V. Bonnell moved that the further consideration of said bill be postponed to the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. A. V. Bonnell, Bramhall, Chetwood, Franklin, Laird, Martin—6.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Cowperthwaite, Depew, Howell, Hoxsey, Robertson, Somers, Smith, Stults, Swain—11.

So said motion was not agreed to.

On motion of Mr. Hoxsey, the further consideration of said bill was postponed for the present.

Mr. Howell moved that the vote by which

The bill entitled

Supplement to the act entitled 'an act relating to the Public Printing,'

Was ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered, and the bill ordered to stand upon its second reading.

The bill from the House of Assembly entitled

An act to renew and re-establish an act entitled "An act to incorporate the Mount Holly and Camden Railroad Company," approved February eleventh, eighteen hundred and forty-eight, and supplemental thereto,

Was taken up, and having been previously read a third time,

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative, as follows:

Ayes—Messrs. Bramhall, Chetwood, Cowperthwaite, Howell, Hoxsey, Martin, Roberts, Smith, Stults—9.

Nays—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Depew, Franklin, Laird, Robertson, Somers Swain—9.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill from the House of Assembly, entitled,

An act to establish an Independent battallion in the city of Newark,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Somers, Smith, Stults, Swain—15.

Nays—Mr. Robertson—1.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled

'A supplement to 'an act granting certain privileges to Firemen, &c.' passed February twenty-three, eighteen hundred and thirty-eight';

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

Ayes—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Robertson, Somers, Smith, Stults, Swain—15.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled

A supplement to the act entitled 'an act incorporating the inhabitants in the townships in the county of Ocean, designating their powers and regulating their meetings,' approved April fourteenth, eighteen hundred and forty-six,

And the amendments made thereto in the Senate,

Was taken up, and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey Laird, Martin, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly, entitled

An act to incorporate the Children's Aid Society, in the city of Newark;

And the amendments made thereto in the Senate,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly as amended pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Robertson, Somers, Smith, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with sundry amendments, in which amendments the concurrence of the House of Assembly is requested.

The bill from the House of Assembly entitled,

An act regulating to Telegraph Companies;

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Robertson, Somers, Smith, Stults, Swain—16.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, with out amendment.

On motion of Mr. I. Bonnell,

The Senate then adjourned.

At 3 o'clock the Senate met.

The bill from the House of Assembly entitled

A supplement to the act entitled 'an act to incorporate the

National Insurance Company,' approved February nineteenth, one thousand eight hundred and fifty-two,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Howell, Laird, Martin, Rea, Robertson, Robertson, Somers, Smith—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

The bill from the House of Assembly entitled,

An act relating to Plank and Turnpike Roads,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled,

An act to incorporate the Bellman's Creek Draining Company,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—18.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The President, in answer to the question asked by the Senator from Passaic, this morning, whether a bill incorporating a bank, which has been returned by the Governor with his objections, requires a vote of three-fifths of the whole Senate in order to re-pass the same, or whether a bare majority of the whole number of the Senate is sufficient,

Gave the following opinion:

I am called upon to decide the question, whether a bill for the incorporation of a bank, which has been returned to the Senate by the Governor without his signature, can again be passed by the votes of a bare majority. I had always taken it for granted that a bank bill could in no circumstance become a law without the assent of three-fifths of the members of each branch of the Legislature. When, however, I was informed that distinguished counsel, learned in the law, had expressed a different opinion, I of course looked with diffidence and distrust upon my own hastily-formed opinions, and proceeded at once to re-examine the subject, and earnestly scrutinize the grounds on which those opinions were founded, with a belief that such review would cause my opinions to conform to those expressed by gentlemen infinitely my superiors in legal intelligence and attainments, and far better qualified to decide any questionable point of Constitutional law. Such, however, has not been the result of my investigations, and it

has become my duty to state briefly but distinctly the grounds of my dissent.

The question is, whether a bare majority of the members elected to each House is sufficient for the passage of a law granting a charter for a bank, after such law has received the Governor's veto?

The Constitution (art. iv., section 7,) is express that "the assent of three-fifths shall be requisite" to the passage of every such law. How can these express words be overcome? It is said that the next article (art. v., part 7), which provides for the veto power of the Governor, and for the re-passage of a bill after such veto, requires only a bare majority for such passage. Is that the fair construction of the instrument, according to its spirit and meaning? The language of the fifth article, after providing for a return of the bill to the House in which it originated, and that they shall proceed to re-consider it, is as follows: "If, after such re-consideration, a majority of the whole number of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be re-considered; and if approved by a majority of the whole number of that House, it shall become a law."

Now, the question is as to the true meaning of the word "majority," or the words, "majority of the whole number of that House." Do they mean a bare mathematical majority? or do they refer to the Constitutional majority requisite to the nature of the case and the subject matter? By adopting the latter construction, we give effect, full effect to both clauses, which we are bound to do if we can, by a well-settled rule of construction. If we adopt a different construction, we make void, in this particular case, the words of article iv., section 7, by which it is declared that "the assent of three-fifths SHALL BE REQUISITE" to the passage of every law granting a charter to a bank; we would practically say that "THE ASSENT OF THREE-FIFTHS" shall NOT be requisite to the passage of such a law. I am satisfied that the Legislature, by adopting such a construction, would defeat the design and intent of the Constitution.

The clause requiring three-fifths constantly stares us in the face, both before a bill is sent to the Governor, and after it is received from him. Before it is sent, the substance and effect of the paramount law by which we are to be guided is this: "No bill or joint resolution shall pass (art. iv., sec. 4, part 6,) unless there be a majority of all the members of each body personally present, and agreeing thereto; but the assent of three-fifths shall be requisite to the passage of every law for granting charters for banks." After the bill is returned, with the objections of the Governor, the paramount law becomes in substance and effect this: "If a majority of the whole number of each House shall agree to pass the bill, it shall become a law;" but as before, "the assent of three-fifths shall be requisite to

the passage of every law for granting charters for banks." In other words, the three-fifths requisition qualifies the passage of bank bills, whether before or after the veto. The language is general—"the assent of three-fifths shall be requisite TO THE PASSAGE of every law." It is not said that three-fifths shall be requisite only on the first passage of a bill—but shall be requisite "to THE passage of every bill."

Such seems to me to be the true principles of criticism which are to be applied to the construction of the clause in question. But when we cast our eyes upon the instrument as a whole, and endeavor to see and catch the spirit which dictated those several passages, we can entertain no doubt upon the subject.

The framers of the Constitution appear to have been jealous, exceedingly jealous of the fiscal and monetary affairs of the State, and of everything that might be thought likely materially to affect them. Stringent provisions are inserted respecting the contracting of State debts; and as to banks, besides the clause in question, the Legislature is prohibited from granting charters of more than twenty years' extent. I cannot suppose, therefore, that the Constitutional Convention could have entertained the absurd notion that they were providing for a three-fifths vote before a veto, and only a bare majority after a veto.

The rule usually adopted in Constitutions is to require a larger majority after an Executive Veto than was necessary at the first passage of the bill. Our Constitution dispenses with this safeguard; but I cannot for a moment suppose its genuine sense to be that a less majority shall in any case be requisite after than was necessary before a veto. The plain sense of the thing is otherwise; and with great deference to the respectable and learned gentlemen who have expressed a different opinion, I cannot but think that the conclusion to which they arrive is rather the result of specious logic, and a too great adherance to mere words, than of a sound and liberal view of the spirit and meaning of the whole Constitution.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 29, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

An act respecting the Trustees of Burlington College:

Also,

The bill entitled,

An act to encourage the agricultural developments of the State, and enable persons of moderate means to become land-holders;

Also,

The bill entitled,

A further supplement to an act entitled 'an act authorizing the removal of certain mill dams from Rahway River and its branches, within the limits of the townships of Woodbridge and Rahway, in the counties of Essex and Middlesex,' approved March the third, eighteen hundred and fifty-four;

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly have concurred in the amendments made by the Senate to

The bill entitled,

A further supplement to the act authorizing the inhabitants of the several townships to vote by ballot,

And have ordered said bill to be re-engrossed, and the amendments made in the Senate to be embodied therein, and have passed the same.

Also,

That the House of Assembly have passed

The bill from the Senate entitled,

A further supplement to an act entitled 'an act for the relief of persons imprisoned on civil process,' approved April the sixteenth, eighteen hundred and forty-six,

Also,

The bill from the Senate entitled,

Supplement to the act respecting Roads,

Also,

The bill from the Senate entitled,

An act to incorporate the Elizabethport Land Improvement Company;

Also,

The bill from the Senate entitled,

A further supplement to the act entitled 'an act to incorporate the city of Paterson,' approved March nineteenth, A. D., eighteen hundred and fifty-one;

Also,

The bill from the Senate entitled,

An act to repeal the act entitled 'an act to protect fish in the Swartwout pond, in the county of Sussex,

Without amendment.

Also,

That the House of Assembly has passed

The bill from the Senate entitled,

An act to incorporate the Bridgeton and Marlton Turnpike Company,

Also,

The bill from the Senate entitled,

An act concerning Evidence;

With sundry amendments, in which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill from the House of Assembly entitled,

A further supplement to an act entitled 'an act authorizing the removal of certain mill dams from the Rahway River and its branches, within the limits of the townships of Woodbridge and Rahway, in the counties of Essex and Middlesex,' approved March third, eighteen hundred and fifty-four,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

The bill from the House of Assembly entitled

An act to encourage the agricultural developments of the state, and enable persons of moderate means to become land-holders,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on Agriculture.

The bill from the House of Assembly, entitled

An act respecting the Trustees of Burlington College,

Was taken up, read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

The bill entitled,

An act to repeal the act entitled 'an act to protect fish in the Swartwout pond in the county of Sussex;

Also,

The bill entitled,

A supplement to the act entitled "An act to incorporate the Camden and Atlantic Land Company, approved March tenth eighteen hundred and fifty-three,

Also,

The bill entitled,

A further supplement to the act entitled 'an act to incorporate the city of Paterson,' approved March nineteenth, eighteen hundred and fifty-one;

Also,

The bill entitled,

An act to incorporate the Elizabethport Land Improvement Company;

Also,

The bill entitled,

Supplement to the act respecting Roads;

Also,

The bill entitled,

A further supplement to the act entitled 'an act for the relief of persons imprisoned on civil process,' approved April sixteenth, eighteen hundred and forty-six,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

'I certify that this bill originated in the Senate.'

A. R. THROCKMORTON,
Secretary of Senate.

The bill entitled,

An act to incorporate the Delaware and Hudson Telegraph Company;

Was taken up, the amendments to the same as reported by the Commitee on Corporations considered and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill entitled

A supplement to the act entitled 'an act to provide for the Public Printing,

Was taken up.

Mr. Howell moved that the vote by which the first section thereof was agreed to,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Said section was then amended and agreed to.

The same Senator moved that the vote by which the preamble was agreed to

Be re-considered.

Which motion was agr eed to, and the vote re-considered.

The preamble to said bill was then amended and agreed to and the bill ordered to be engrossed and have a third reading

The bill from the House of Assembly, entitled

A supplement to an act entitled 'an act to authorize the sale of certain real estate of John T. Halsey, deceased late of Elizabethtown, in the county of Essex,' passed November four, eighteen hundred and forty-two;

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly entitled,

A further supplement to an act entitled 'an act authorizing the removal of certain mill dams on Rahway River and its branches, in the townships of Woodbridge and Rahway, in the counties of Essex and Middlesex,' approved March third, eighteen hundred and fifty-four,

Reported the same,
Without amendment.

Mr. A. V. Bonnell moved a suspension of so much of the twenty fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its second reading at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The same Senator moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Martin, Rea, Robertson, Somers, Smith, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly entitled

A further supplement to the act entitled 'an act respecting annual reports to the legislature of railroad and canal companies,' approved February twenty-fourth, eighteen hundred and fifty-two,

Was taken up upon its final passage.

Mr. A. V. Bonnell presented a remonstrance from John Hopper, Esquire, Treasurer of the Paterson and Ramapo Railroad Company, on behalf of said Company, against the passage of said bill.

Which was read, and ordered to lie on the table.

Mr. Hoxsey moved that the vote by which said bill was ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered.

Said bill was then taken up upon its second reading.

Mr. Hoxsey moved that the vote by which the third section was agreed to

Be re-considered.

Which motion was agreed to, and the vote re-considered.

The same Senator then moved that the third section of said bill be stricken out.

Which motion was agreed to, and the section stricken out, and the bill ordered to be engrossed and have a third reading.

A message was also received from His Excellency the Governor, by the hands of Mr. Shreve, his private Secretary, as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, March 29, 1855.

Hon. Wm. C. Alexander,
President of the Senate,

SIR—I have this day signed and approved the following bills which originated in your House:

A supplement to the act entitled 'an act to regulate the State Library,' approved April the tenth, eighteen hundred and forty-six;

Also,

A further supplement to the act entitled 'an act against usury,' approved April fourteenth, eighteen hundred and forty-six.'

Also,

An act for the relief of Mary Carter, widow of John Carter deceased, of the county of Burlington;

Also,

An act to authorize the trustees of the Methodist Episcopal Church at Cedar Grove, in the county of Mercer, to sell and convey certain real estate;

Also,

An act for the limitation of actions, approved April the sixteenth, eighteen hundred and forty-six;

Also,

An act for the relief of Tabitha Martin, widow of Merrick Martin, deceased, of the county of Middlesex;

Also,

A further supplement to an act entitled 'an act relative to the Court of Errors and Appeals,' approved April the sixteenth, eighteen hundred and forty-six;

Also,

A further supplement to the act entitled 'an act for the more easy partition of lands held by co-parcenors, joint tenants and tenants in common;

Also,

A further supplement to the act entitled 'an act respecting the Court of Chancery,' approved April the sixteenth, eighteen hundred and forty-six;

Also,

A supplement to the act approved April the sixteenth,

eighteen hundred and forty-six, and entitled 'an act constituting the Court of Oyer and Terminer and general jail deivery;

Also,

An act to change the name of the First Presbyterian Church of South Trenton to the Second Presbyterian Church of Trenton;

RODMAN M. PRICE.

The bill from the House of Assembly, entitled

An act to authorize the removal of a certain Railroad Track from certain parts of the city of Newark,

Was taken up upon its second reading.

Mr. Robertson moved that the further consideration of said bill be postponed to the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres), Allen, I. Bonnell, Bramhall, Depew, Hoxsey, Rea, Robertson, Somers, Stults, Swain—11.

NAYS—Messrs. A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Smith—8.

So said motion was agreed to, and the further consideration of said bill postponed accordingly.

Mr. Franklin moved a suspension of so much of the twenty-third rule as prescribes that one day's notice at least shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled

A further supplement to the act concerning Roads.

Which was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled

A further supplement to an act entitled 'an act respecting annual reports to the Legislature of Railroad and Canal Companies,' approved February twenty-fourth, eighteen hundred and fifty-two,

And find the same to be correctly engrossed.

Mr. Hoxsey moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

Ayes—Messrs. Alexander, (Pres.) Howell, Hoxsey, Rea, Robertson, Somers, Smith—7.

Nays—Messrs. Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Franklin, Laird, Martin, Stults, Swain—10.

The bill entitled,

An act concerning Evidence,

And the amendments made thereto in the House of Assembly,

Were taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

A supplement to the act entitled an act for the punishment of Crimes,

And the amendments made thereto in the House of Assembly,

Were taken up, the amendments read and concurred in, the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly to be embodied therein, and have a final reading.

The bill entitled,

An act relative to the suppression of the manufacture and sale of intoxicating liquors as a beverage.

And the amendments made thereto in the House of Assembly,

Were taken up.

Mr. Robertson moved that the further consideration of said bill be postponed until the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Depew, Laird, Rea, Roberts, Robertson, Somers, Smith, Stults—11.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Swain—8.

So said motion was agreed to, and the further consideration of said bill postponed accordingly.

Mr. Allen moved that

The Secretary be directed to request the House of Assembly to return to the Senate for further consideration

The bill from the House of Assembly entitled,

An act to renew and re-establish an act entitled "An act to incorporate the Mount Holly and Camden Railroad Company," approved February eleventh, eighteen hundred and forty-eight, and supplemental thereto,

Which was disagreed to by the Senate upon its final passage.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, Bramhall, Chetwood, Cowperthwaite, Howell, Hoxsey, Roberts, Smith, Stults —10.

NAYS—Messrs. A. V. Bonnell, I. Bonnell, Depew, Franklin, Laird, Rea, Robertson, Somers, Swain—9.

So said motion was agreed to, and the Secretary so instructed.

Mr. Chetwood moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

Upon its final passage at this time.

The bill from the House of Assembly entitled,

A supplement to an act entitled 'an act to authorize the sale of certain real estate of John T. Halsey, deceased late of Elizabethtown, in the county of Essex,' passed November four, eighteen hundred and forty-two.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Frank-

lin, Howell, Hoxsey, Laird, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The bill from the House of Assembly, entitled

An act supplementary to an act entitled 'an act establishing a Militia system,' approved April seventeenth, eighteen hundred and forty-six;

And the amendments made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, and the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

The bill entitled,

An act to regulate fishing in the counties of Monmouth and Ocean;

And the amendments made thereto in the House of Assembly,

Was taken up, the amendments read and concurred in, the bill ordered to be re-engrossed, the amendments made thereto in the House of Assembly embodied therein, and have a final reading.

On motion of Mr. Bramhall,

The Senate then adjourned.

FRIDAY, March 30, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Maxwell.

The Journal of the previous day was read and approved.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 29, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill entitled,

An act to incorporate the Farmers and Drovers Bank of Hudson County;

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly have passed

The bill from the Senate entitled,

An act to alter and amend the articles of association of the Bank of New Jersey,

Also,

The bill from the Senate entitled,

An act relative to the Princeton Bank;

Also,

The bill from the Senate entitled,

An act to incorporate the City Bank of Perth Amboy;

Also,

The bill from the Senate entitled,

A supplement to an act approved April the sixteenth, eighteen hundred and forty-six, and entitled 'an act regulating proceedings and trials in Criminal Cases,'

Also,

The bill from the Senate entitled,

An act for the relief of the Methodist Episcopal Church at Madison, in the county of Morris;

Without amendment.

Also,

That the House of Assembly have re-considered the bill from the Senate, and returned by the Governor with his objections thereto, and entitled

An act to incorporate the Newark City Bank,

And have passed the same.

P. D. VROOM, Clerk.

Mr. I. Bonnell, from the Committee on Agriculture, to which was referred

The bill from the House of Assembly entitled

An act to encourage the agricultural developments of the state, and enable persons of moderate means to become landholders,

Reported the same,
Without amendment.

Mr. Depew, from the Senate Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 140, entitled,

Supplement to the act respecting Roads;

Also,

Senate bill No. 152, entitled

An act to incorporate the Elizabethport Land Improvement Company;

Also,

Senate bill No. 158, entitled,

An act to repeal the act entitled 'an act to protect fish in the Swartwout pond in the county of Sussex;

Also,

Senate bill No. 154, entitled,

A supplement to the act entitled "An act to incorporate the Camden and Atlantic Land Company, approved March tenth eighteen hundred and fifty-three,

Also,

Senate bill No. 157, entitled

A further supplement to the act entitled 'an act to incorporate the city of Paterson,' approved March nineteenth, eighteen hundred and fifty-one;

Also,

Senate bill No. 133, entitled

A further supplement to the act entitled 'an act for the re-

lief of persons imprisoned on civil process,' approved April sixteenth, eighteen hundred and forty-six.

DANIEL D. DEPEW,
Chairman of said Com'e.

March 29, 1855.

The bill from the House of Assembly entitled,

An act to incorporate the Farmers and Drovers Bank of Hudson County,

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on Corporations.

The bill entitled

An act for the relief of the Methodist Episcopal Church at Madison, in the county of Morris;

Also,

The bill entitled,

An act to incorporate the City Bank of Perth Amboy;

Also,

The bill entitled,

A supplement to an act approved April the sixteenth, eighteen hundred and forty-six, and entitled 'an act regulating the proceedings and trials in criminal cases;'

Also,

The bill entitled,

An act relative to the Princeton Bank;

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on

Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

Mr. Stults moved that the vote by which the further consideration of

The bill from the House of Assembly, entitled

An act to authorize the removal of a certain Railroad Track from certain parts of the city of Newark,

Was postponed to the next session of the Legislature,

Be re-considered.

Which motion was agreed to, and the vote re-considered, and the bill ordered to stand upon its second reading.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled,

A supplement to the act entitled 'an act for the punishment of Crimes.'

Also,

The re-engrossed bill entitled,

An act further supplementary to the act entitled 'an act establishing a Militia system,' approved April seventeenth, eighteen hundred and forty-six;

And find the same to be severally correctly re-engrossed.

The re-engrossed bill entitled,

An act further supplementary to an act establishing a Militia

system, approved April seventeenth, eighteen hundred and forty-six,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the negative, as follows:

Ayes—Messrs. Alexander, (Pres.) A. V. Bonnell, I.Bonnell, Chetwood, Depew, Franklin, Laird, Martin, Stults—9.

Nays—Messrs. Allen, Cowperthwaite, Howell, Robertson, Smith, Swain—6.

On motion of Mr. Allen,

The bill entitled,

A further supplement to the act entitled 'An act to regulate elections,' approved April sixteenth, eighteen hundred and forty-six,

Was postponed to the next session of the Legislature.

The re-engrossed bill entitled

A supplement to the act entitled 'an act for the punishment of Crimes,'

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

Ayes—Messrs. Alexander (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Somers, Smith, Stults, Swain—16.

Nays—None.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred

in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

Mr. Smith moved that the vote by which

The re-engrossed bill entitled,

An act further supplementary to an act entitled 'an act to establish a Militia system,' approved April seventeenth, eighteen hundred and forty-six,

Was disagreed to upon its final passage,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Mr. Hoxsey moved a suspension of so much of the twenty fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill having been previously read a third time,

Upon the question,

Shall this re-engrossed bill pass ?

It was decided in the affirmative as follows :

AYES—Messrs. Alexander,(Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Smith, Stults, Swain—13.

NAYS—Messrs. Allen, Bramhall, Cowperthwaite, Rea, Robertson, Somers—6.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said

bill, and has ordered said bill to be re-engrossed, and has passed the same.

Mr. Smith, from the special committee to whom was referred the investigation of certain charges of an attempt to bribe a Senator, &c., reported as follows:

The Committee to which was referred the investigation of alleged attempts to control the votes of members of the Senate upon the bill entitled 'a supplement to the act entitled an act to incorporate the Newark Plank Road and Ferry Company,'

Report,

The following evidence taken in said case, to the Senate, for such disposition as this body may deem advisable.

CHARLES P. SMITH, CHAIRMAN,
THOMAS D. HOXSEY,
G. R. CHETWOOD.

MEETING OF COMMITTEE, MARCH 22, 1855.

Jonathan Corey having been sworn, saith—I was met one day by Capt. Gaffey, of the steamer Passaic, on the corner of Willow and State streets. It was in the afternoon. Captain said he was looking for me—said that the river men; Condit, Stevens, Sayre and Hillyer, had taken into consideration, or on consultation, they had selected William Halsted or deponent, for the purpose of reaching one vote against the bridge bill. They had become satisfied that one vote would pass or defeat the bill. I anticipated him, and said it was Senator Stults, of Middlesex. He said he was the man; he then said they had fixed upon me to REACH Mr. Stults, as I was here boarding at the same house, and that Mr. Stults and deponent were intimate. He (Gaffey) said to me that if I would undertake to affect Mr. Stults' vote against the bill, that I could have a sum named. I do not recollect the amount, but I gathered by his conversation at the time

to be from three to seven hundred dollars, if necessary, or more; that the matter would be left with me to affect the vote in any manner that I thought proper. I told captain that I could not do it; I had two objections; one was, I did not know how Stults could be approached; that I had never seen a Senator or member of the House that I would dare approach with funds; that I considered it was dangerous to approach any man by any means except persuasion. I said that I considered Stults the last man that could be reached that way; that Mr. Stults was in easy circumstances; that I did not conceive that he was spending his time for the emoluments, but for pastime. My second objection was, that I had been spoken to by the other party, the Plank Road men, in the early part of the session. I declined having anything to do with it on the part of the Plank Road when I was first spoken to, and I could not honorably take any interest against the bridge. Told captain he had better not attempt to reach Mr. Stults except by persuasion. This happened in an early stage of the bill in the Senate, two weeks before the bill was passed upon.

Question by Mr. Chetwood. Did Gaffy say that he had just come from that consultation?

A. That he had just come from that consultation, and was authorized by them to make me that offer.

Q. Can you fix the time more definitely than you have in your affidavit before stated?

A. I think it was not less than two weeks before the final vote on the bill in the Senate, perhaps longer.

Q. Have you been here this winter as a lawyer in the employment of the New Jersey Railroad Company, by or through the officers, agents or persons acting for said company?

A. I have not.

Further Examination of Mr. Cory, March 22, 1855.

Question by Mr. Hillyer. Did you mention this matter of the offer by Captain Gaffey, to any person before your appearance before this Committee, and if so to whom and when?

Answer. I think I never mentioned it until the morning the testimony was read in the Senate, I am not certain whether I first mentioned it to Mr. Powell or to Mr. Smith.

Q. Did you request the Committee to be convened for the purpose of taking your testimony, if not, do you know who did request the Committee to be convened?

A. After the evidence was read in the Senate, I was not there at the time, Mr. Cornell of Somerset, said I was connected in the bribery matter, he said my name was used in rather a ridiculous and scurrillous manner, I said I was not connected, for I had kept aloof from both sides—I think I said to him that if my name was connected with the matter I considered that I was absolved from all confidence to the parties interested, and was ready to appear before the Committee and say what I knew. I called upon Mr. Smith after the adjournment, I inquired of Mr. Smith who of the parties connected me with the transaction. I think Mr. Smith informed me that it was either Condit or Johnson. I then said to Mr. Smith that if Condit or Johnson connected me with the matter I was ready to appear before the Committee and state a conversation I had with one of the parties interested in defeating the passage of the bill. I think I then related to Mr. Smith about the substance of the above conversation with Gaffey—Mr. Smith then said that he would ask to have the committee continued if I was willing to appear before the Committee.

Q. Have you received any compensation, Mr. Corey, or promise of compensation for appearing before the Committee?

A. I have not, it was voluntary on my part, nor I do not expect to receive any.

Q. Do you know by whom this rumor of this offer to bribe Mr. Stults was communicated to the Editor of the Newark Mercury?

A. I did not know anything of it, until I saw it in the Mercury, I do not know anything about it.

Q. Do you ride free on the New Jersey Railroad?

A. I do not.

At this point of the examination there was laid before the Committee an affidavit of Captain Gaffey, who in his affidavit alleges himself as sick and confined to his house by inflamatory Rheumatism, said affidavit being dated the 22nd day of

March, A. D., 1855, and on motion of Mr. Hoxsey, it was moved that said affidavit under the circumstances of the illness of said Gaffey, should be received as a portion of the testimony taken before the Committee, which resolution was amended on motion of Mr. Chetwood, so as to read as soon as the Committee can cross-examine Captain Gaffy, in accordance with a rule which as heretofore governed this Committee.

Question being taken upon the amendment

AYES—Chetwood and Smith.

NAYS—Thomas D. Hoxsey.

NEW JERSEY, ESSEX COUNTY, ss.:

John Gaffey, of Newark, in said county, being duly sworn, saith—that he resides in said city; that on the sixth day of March instant, deponent was taken ill with a severe attack of inflammatory rheumatism, which obliged him the next day to go to bed, where he has since been forced to stay pretty much ever since; and that he is not now able to quit his house or go away from Newark, nor has he as yet been permitted by his physician to go out at all.

And deponent saith, that he is informed this morning that Mr. Jonathan Corey, of Newark, has charged deponent, before the Honorable the Committee of the Senate of New Jersey, for investigating certain charges of bribery with having made overtures to him the said Corey, proposing that he should use money with which deponent, or those with whom he acted, would furnish him, to obtain or influence the vote of Mr. Senator Stults, or some other Senator or member of the Legislature. And deponent says that he regrets that he has not a full copy of said Corey's affidavit, nor is able to go to Trenton, but that deponent will relate the whole matter that occurred between said Corey and deponent in relation to the Plank Road Bridge, as nearly as possible according as it happened. And deponent saith, that the said Corey and he are neighbors in Newark, and that he knew the said Corey to be a practising lawyer, and to be engaged, as deponent understood, professionally in attendance upon the Legislature during its session. And deponent had heard concerning said Corey that he was a member of the order of Know-Nothings, and had been a member of the Legislature; from all which he supposed him to be likely to have some influence with the Legislature; and being desirous of assisting said Corey in business, having supposed he was not altogether very prosperous, as well as to aid in defeating the said Plank Road Bridge, deponent suggested to those interested with him, that it

might be well to employ said Corey to advocate the defeat of said proposed bridge, and obtained permission to do so. And deponent saith, that some time ago, and as this deponent thinks and is confident, before the bill for said bridge passed the House of Assembly, deponent saw said Corey in State street in Trenton, and had a conversation with him. Deponent said to him that he had a communication to make to him relating to the matter of said Plank Road Bridge; that deponent understood the other side had a good many persons acting for them with the Legislature, and deponent's side had very few; and that deponent desired to engage his services, if possible and consistent with said Corey's engagements, to aid in opposing and defeating said bridge. Said Corey said he could not very well do it—that he had two or three other things on hand which it would interfere with, and that he would rather decline having anything to do with it—it might be a great detriment to him; that if he had come there a day or two previously, untrammelled by anything else, he would willingly have accepted an offer of the kind; that he had been approached by the other party in favor of the bridge, and could have taken a hundred dollars, if he had seen fit. Deponent replied to him, that there was no doubt of that, but that if he did not wish, it was no use of talking over the matter any further—we would let it drop; that deponent did not wish him to do anything which would be a detriment to him in any way.

This was substantially all the conversation upon the subject which then occurred between said Corey and deponent; they conversed afterwards upon general matters, the said Corey talking generally about the inefficiency of certain other persons as lobby members; but said deponent did not then, or at any other time, have any communication respecting said bridge with said Corey. And deponent saith, that he did not in said conversation, or ever, tell said Corey that he should have any money whatever with which to influence or affect the vote of said Stults, or any other person, or to be used in any manner whatsoever; that deponent did not name any sum of money to said Corey in said conversation, nor was any sum named therein, except the one hundred dollars which said Corey himself said he could have had; that deponent never made, nor dreamed of making, any offer of money to said Corey or any man with which to influence votes; that he never was authorized by any person or persons to make any such proposal to said Corey, or anybody else, and never said he was; that at the time he conversed with Corey, no Senator's name was mentioned at all, and that of Mr. Stults, deponent is sure, was not thought of by him as a man whose vote was sought to be affected, because deponent then thought him opposed to the bill; nor did deponent propose to said Corey, or think of proposing, that he should influence any particular vote, but his object was to retain him generally to oppose the

bridge before the Legislature, deponent thinking his acquaintane, experience and relation would enable him to be a useful opponent of the bridge, And deponent saith, that not having the opportunity at this time of reading the precise terms in which the charge of said Corey made against deponent in his said examination is contained, deponent will add to the denial already made that any allegation by said Corey, or anybody else, that this deponent ever offered, or said he was authorized to offer, or mentioned as being ready or obtainable, any money or sum of money to be used by said Corey, or any one else, for the purpose of influencing, affecting, procuring or preventing any vote by any Senator or other member of the Legislature against said bridge, or upon any other subject, is utterly false and untrue. And deponent saith, that he went down to said city of Trenton, and spent about four weeks during the present session of the Legislature, in order to add what little influence he might be able to use fairly and above board, in order to persuade the Legislature to reject the bill for the bridge on the Passaic; that he did so without fee or reward, or the expectction thereof, as a citizen interested in the navigation of the Passaic for many years, and acquainted by profession with its necessities; that deponent, in so doing, was constantly more or less in company with Messrs. Hillyer, Stephens, Condit, Sayre, and others interested in the same business; that he never heard nor conceived of any plan or suggestion for the obtaining the vote of any person against said bridge, by any money or other improper means, or any means except fair and ordinary advocacy, and that he always heard and supposed, up to the final vote, that the Hon. Ralph C. Stults was pledged and relied on to vote against said bill.

JOHN GAFFEY.

Sworn and subscribed, this 22d day of March, 1855, before me,

COURTLANDT PARKER,
Master in Chancery.

Continuation of the examination of Capt. John Gaffy, taken at his residence in the city of Newark by the Hon. George R. Chetwood, one of and acting in behalf of the committee of investigation appointed by the Senate to investigate the charges of bribery, &c. this 24th day of March, 1855.

The said John Gaffey being on his oath saith —

Question by Jonathan Cory. Do you recollect when and where this conversation alluded in the affidavit took place?

A. It was in State street, at Trenton.

Q. About what time?

A. About the sixteenth of February, in the afternoon.

Question by Mr. Chetwood. What induced you to change your mind, and then return to your boarding house?

A. There was no change in my mind, for when I left my boarding house it was for the purpose of seeing Mr. Cory; after meeting Mr. Cory, having no particular business at the State House, I returned to my boarding house.

Q. By Mr. Cory. Do you recollect where we were during this conversation?

A. I do, we took a walk around, and separated at the State House.

Q. Do you recollect how you approached me in that conversation?

A. Yes, I told you I had a little communication to make to you concerning our river matters and the plank road bridge.

Q. Do you recollect saying who the parties were you had consulted in reference to seeing me?

A. I recollect that there was no parties named, mentioned by me.

Q. Do you recollect of saying to me that there had been a consultation between you and the parties interested in reference to your seeing me?

A. I do not, or not in that way.

Q. In what way?

A. I told Mr. Cory I had mentioned his name to our people; he being a neighbor of mine I was acquainted with him, and thought I might get him to assist me.

Q. Do you recollect of saying that there had been several names spoken of, and amongst others William Halstead and myself?

A. I never heard Mr. Halstead's name mentioned in con-

nection with Mr. Cory's, in reference to this matter, or any other person's.

Q. Do you recollect what stage the plank road bill was in at the time of this conversation, whether it was in the Senate?

A. I declare I cannot tell about it, I took so little notice of such things.

Q. Did we not talk about the majority the bill got in the House?

A. Well I think myself the bill had passed the House, for Mr. Cory said that at one time we had them in a tight place.

Q. Do you recollect saying that it was important to have one vote in the Senate, as one vote would pass or defeat the bill?

A. I never made use of any such expression.

Q. Do you recollect of your saying to me that you wanted me to assist in getting one Senator?

A. No sir.

Q. Do you recollect of saying that the vote of the Senator of Middlesex was the one you wanted?

A. The word Middlesex was never mentioned.

Q. Do you recollect of my speaking of Senator Stults?

A. No sir, his name was not mentioned.

Q. Do you recollect of Senator Stults' circumstances being mentioned as being an extensive farmer?

A. No sir.

Q. Do you recollect of Senator Stults being spoken of as being extensively engaged in the peach business?

A. No sir. Do you recollect of his being extensively engaged in the timber business being spoken of at that time?

A. No sir.

Q. You spoke of my having been offered one hundred dollars—did I not say that I would not be interested in the Plank Road Bridge for one hundred dollars, as I thought it would injure other business I was engaged in before the Legislature?

A. Mr. Cory said that he could have taken one hundred dollars; I told him I dare say, and I did not doubt that he said he could not enter into our matters, as he had two or three other matters, and it might be a detriment to him; I told him if it was going to be a detriment to him I would rather he would have nothing to do with it.

Q. Did I not say that I did not want to have any thing to do with either side, as it might interfere with other matters?

A. I do not recollect the expression of either side being used except as explained before.

Q. When my name had been mentioned by you to the river men, was it on that day—that is the day of our consultation?

A. It was on that day.

Q. When did you communicate the conversation we had?

A. That afternoon we informed them that Mr. Cory declined assisting them.

Q. Did you leave the river men direct when you came to me?

A. Not direct.

Q. When you did suggest my name, was it in the fore or afternoon?

I do not recollect.

Q. Was it the understanding of the river men that you should see me?

A. There was no peculiar understanding about it; I mentioned Mr. Cory's name to them, knowing him as a neighbor.

Q. Was it acceptable to the river men, or otherwise?

A. That I cannot say.

Q. Do you recollect of being at my room that afternoon?

A. I recollect I was not.

Q. What was the understanding between you and the river men as to my compensation?

A. We had no understanding about it; the proposition to see Mr. Cory was on my side altogether.

Q. What was the impression of yourself, if I became interestested in opposing the bridge, whether it was to be gratuitous or otherwise?

A. Why to be compensated of course, as men are usually compensated for such services.

Q. Who were the parties you suggested my name to?

A. I do not know that I can mention all; I recollect that Mr. Stephens and Mr. Condit were there, and I think there were others there, but I cannot recollect who.

Q. Were there any parties there other than those opposing the bridge?

A. I do not know of any other.

Q. To whom did you communicate the fact of having seen me in relation to this matter?

A. I think I mentioned it to Mr. Condit and Mr. Sayre the same afternoon.

Q. By Mr. Chetwood. How long were you and Mr. Cory in conversation that afternoon?

A. About half an hour, the business of the bridge occupying about ten minutes.

Q. Did you ever hear either of the river men say that it was important to secure Mr. Stults' vote, or the vote of any other Senator against the Plank Road Bridge?

A. I did not.

Q. In whose employ are you professionally?

A. I have not been in the employment of any body since the first of January. I had previously been in the employ of the Messrs. Stevens, of Hoboken.

Q. Who wrote the affidavit sworn to by you, and now in the possession of the Committee?

A. I think the gentleman's name is Cortland Parker—I am not not much acquainted with him.

Q. By Mr. Cory. Was the affidavit prepared in your presence, or was it prepared and brought to you?

A. It was in my presence.

Q. Had you been consulted in reference to the affidavit before Mr. Parker came here, and by whom?

A. I had not.

Q. Who was present besides Mr. Parker at the taking of the affidavit?

A. Mr. Condit and Sayre.

Sworn and subscribed this twenty-sixth day of March, A. D. 1855, before me. } JOHN GAFFEY.

G. F. HILLYER,
Mas. in Chancery.

FURTHER EXAMINATION BEFORE COMMITTEE, MARCH 28, 1855.

Joel W. Condit being further examined before said committee on his oath, saith—that whereas Jonathan Corey, in his testimony, hath charged that Capt. Gaffey had improperly attempted to affect the vote of Ralph C. Stults on the Plank Road Bridge bill, and whereas, also, the said Corey hath charged that the said Capt. Gaffey was authorized to use a sum of money by deponent and others for this purpose. Deponent saith that he never authorized the said Capt. Gaffey to use any sum or sums of money for that purpose, and that this deponent was never present at any conversation where such a proposition was discussed or contemplated, in which the said Gaffey was authorized to use money for such purpose, or to any other person or persons whatsoever,

JOEL W. CONDIT.

MARCH 28 1855.

James R. Sayers, Jr., being further examined before said Committee on his oath saith, that whereas Jonathan Corey, in his testimony hath charged that Captain Gaffey had improperly attempted to affect the vote of Ralph C. Stulis on the Plank Road Bridge Bill, *and whereas, also,* the said Corey hath charged that the said Gaffey was authorized to use a sum or sums of money for that purpose, by this deponent and others for this purpose, Deponent saith that he never authorized the said Captain Gaffey to use any sum or sums of money for that purpose, and that this deponent was never present at any conversation where such a proposition was discussed or contemplated in which the said Gaffey was authorized to use money for such purpose, or to any other person or persons whatsoever.

JAMES R. SAYER, JR.

Which report of said Committee was read, and

On motion of Mr. Allen, the report and evidence accompanying the same were ordered to lie on the table.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly entitled,

An act to incorporate the Farmers and Drovers Bank of Hudson County,

Reported the same,
Without amendment.

Mr. Hoxsey moved that the further consideration of

The bill entitled,

An act to regulate the mode of docketing judgments of the courts of Common Pleas in the Supreme Court,

Be postponed to the next session of the Legislature.

Which motion was agreed to, and the further consideration of said bill postponed accordingly.

Mr. Howell moved that the further consideration of

The bill entitled,

An act for the suppression of tipling houses and beer shops,

Be indefinitely postponed.

Which motion was agreed to, and the bill postponed accordingly.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill entitled,

A further supplement to the act concerning Roads.

Also,

The bill from the House of Assembly entitled,

An act respecting the Trustees of Burlington College,

Reported the same severally,
Without amendment.

Mr. A. V. Bonnell moved that the further consideration of

The bill entitled,

An act to repeal the act entitled 'an act to authorize the business of Banking,'

Be postponed to the next session of the Legislature.

Which motion was agreed to, and the further consideration of said bill postponed accordingly.

Mr. Rea moved that the further consideration of

The bill from the House of Assembly, entitled

An act to authorize the removal of a certain Railroad Track from certain parts of the city of Newark,

Be postponed to the next session of the Legislature.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.)Allen, I. Bonnell, Bramhall, Depew, Hoxsey, Rea, Robertson, Somers—9.

NAYS—Messrs. A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Smith, Stults, Swain—10.

So said motion was not agreed to.

Said bill was then taken up and read a second time, and

The first section thereof as follows—

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That in case the person or persons, body or bodies corporate, claiming to own the railroad track, now being in Park Place and Centre street, in the city of Newark, and in that part of Broad street which lies southerly from the street called the Morris and Essex Railroad Avenue, shall not take up and remove said track from said Park Place and Centre street, and from said part of Broad street, within ten days from the day whereon this act shall be approved, then it shall and may be lawful for the Mayor and Common Council of said city, or either of them, or for any of the citizens of said city, to take up and remove the same forthwith, on the expiration of said period of ten days: PROVIDED, That nothing in this act contained shall be construed or held to authorize or require the removal of the railroad track laid down by the Morris and Essex Railroad Company, across said Broad street, at said Avenue.

Being under consideration,

The ayes and nays being demanded and ordered upon the question of agreeing to said section, were as follows:

Ayes—Messrs. A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—11.

Nays—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Laird, Rea, Robertson, Somers—9.

So said section was agreed to.

The only remaining section of said bill was then considered and agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. Chetwood moved that the further consideration of

The bill entitled,

An act to incorporate the Bank of Elizabethport,

Be postponed to the next session of the Legislature.

Which motion was agreed to, and the further consideration of said bill postponed accordingly.

The same Senator moved that the further consideration of

The bill entitled,

An act to revise and amend the charter of the city of Newark,

Be postponed to the next session of the Legislature.

Which motion was agreed to, and the further consideration of said bill postponed accordingly.

The bill entitled,

An act to protect the people of the state of New Jersey against ignorant practitioners of physic and surgery,

Which was postponed some days since, pending the consideration of the second section,

Was taken up, and the consideration thereof resumed.

Mr. Laird moved to strike out said section.

Which motion was agreed to, and the section stricken out.

The remaing sections of said bill were then considered, amended and agreed to.

Mr. Laird moved that the vote by which the first section was agreed to

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Said section was then amended and agreed to.

The same Senator moved that the vote by which the third section was agreed to

Be re-considered.

Which motion was agreed to, and the vote re-considered.

Said section was then amended and agreed to.

The same Senator moved that the vote by which the fourth section was agreed to

Be re-considered.

Which motion was agreed to, and the vote re-considered.

Said section was then amended and agreed to.

The same Senator moved that the vote by which the fifth section was agreed to

Be re-considered.

Which motion was agreed to, and the vote re-considered.

The fifth section of said bill as follows—

5. AND BE IT ENACTED, That every person receiving a certificate to practice, under this act, shall have his certificate recorded in the Clerk's office, in the county in which he practices, for which record he shall pay the Clerk twenty-five cents; and until the certificate is recorded, he shall be regarded in law as one practicing without license.

Being under consideration,

Mr. Laird moved to amend the same by inserting after the

word 'act,' in the second line, the words 'shall pay to the Board of Examiners the sum of fifteen dollars, and.'

Mr. Hoxsey moved to amend said amendment by striking out the word 'fifteen;' and inserting the word 'seven' in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. I. Bonnell, Bramhall, Cowperthwaite, Franklin, Howell, Hoxsey, Somers—7.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, Chetwood, Depew, Laird, Martin, Rea, Roberts, Robertson, Smith, Stults, Swain—12.

So said amendment to the amendment was not agreed to.

The same Senator moved to amend said amendment by striking out the word 'fifteen,' and inserting the word 'ten' in the place thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. I. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Robertson, Somers—8.

NAYS—Messrs. Alexander, (Pres.), Allen, A. V. Bonnell, Chetwood, Laird, Martin, Rea, Roberts, Smith, Stults, Swain —11.

So said amendment to the amendment was not agreed to.

The amendment to the said section was then agreed to, and the section as amended agreed to, and the bill ordered to be engrossed and have a third reading.

Mr. Roberts offered the following resolution:

Resolved, That the Committee on Stationery be requested to

furnish the members and officers of the Senate, and the Attorney-General, with gold pens.

Which being read,

Mr. Howell moved to lay the same on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) Cowperthwaite, Howell, Hoxsey, Robertson, Swain—6.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Laird, Martin, Rea, Roberts, Somers, Smith, Stults—14.

So said motion was not agreed to.

Mr. Hoxsey moved to amend the same by striking out the words, 'and the Attorney-General,'

Which amendment was agreed to, and the words stricken out.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution as amended, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Franklin, Howell, Laird, Martin, Rea, Roberts, Somers, Smith, Stults, Swain—15.

NAYS—Messrs. Alexander, (Pres.) Cowperthwaite, Depew, Hoxsey, Robertson—5.

So said resolution was agreed to.

Mr. Franklin moved a suspension of so much of the twenty-third rule as requires that all public bills, after the first reading, shall be printed for the use of the Senate, in order to dispense with the printing of

The bill entitled,

A further supplement to the act concerning Roads.

Which motion was agreed to, and so much of said rule was suspended accordingly.

On motion of the same Senator, the printing of said bill was then dispensed with.

Said bill having been read a second time, considered by sections, amended and agreed to, was ordered to be engrossed, and have a third reading.

The bill from the House of Assembly entitled,

An act respecting the Trustees of Burlington College;

Was taken up, read a second time, the first and only section considered, and agreed to, and the bill ordered to have a third reading.

Mr. Allen moved a suspension of so much of the twenty fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, March 30, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed the following resolution:

Resolved, That the Clerk furnish the Senate with a copy of the nominations made, and inform the Senate that the House of Assembly is now ready to go into Joint Meeting, and await the presence of the Senate in the Assembly Chamber.

I am also requested to return to the Senate, in accordance with their request,

The bill entitled,

An act to renew and re-establish an act entitled "An act to incorporate the Mount Holly and Camden Railroad Company," approved February eleventh, eighteen hundred and forty-eight, and supplemental thereto.

P. D. VROOM, Clerk.

Mr. Franklin moved that the vote by which

The bill from the House of Assembly, entitled

An act to renew and re-establish an act to incorporate the Mount Holly and Camden Railroad Company, approved February eleventh, eighteen hundred and forty-eight, and supplemental thereto,

Was disagreed to yesterday upon its final passage,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

Mr. Allen moved that the Senate take a recess of fifteen minutes, in order to make nominations for the joint meeting.

Which motion was agreed to.

At the expiration of the time, the Senate was called to order.

The Senate then proceeded in a body to the House of Assembly, in order to go into joint meeting.

After remaining some time therein, the Senate returned to the Senate chamber, and again came to order.

On motion of Mr. Robertson,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. I. Bonnell offered the following resolution—

Resolved. That when the Senate adjourns, it adjourn to meet again on Tuesday next, at 3 o'clock P.M.

Which was read and agreed to.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The re-engrossed bill entitled,

An act to regulate fishing in Manasquan river, in the counties of Monmouth and Ocean;

Also,

The re-engrossed bill entitled,

An act to incorporate the Bridgeton and Marlton Turnpike Company,

Also,

The bill entitled,

Supplement to the act respecting Roads;

Also,

The bill entitled,

Supplement to the act entitled 'an act relating to the Public Printing;'

Also,

The bill entitled,

An act to incorporate the Delaware and Hudson Telegraph Company;

And find the same to be severally correctly engrossed.

Mr Depew, from the Senate Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 79, entitled,

An act to alter and amend the articles of association of the Bank of New Jersey,

Also,

Senate bill No. 132, entitled

An act relative to the Princeton Bank;

Also,

Senate bill No. 55, entitled,

An act to incorporate the City Bank of Perth Amboy;

DANIEL D. DEPEW,
Chairman of said Com'e.

March 30, 1855.

The hour having arrived to which the Joint Meeting was adjourned, the Senate proceeded in a body to the House of Assembly, in order to go into Joint Meeting.

After remaining in Joint Meeting for some time, the Senate returned to the Senate Chamber, and came to order.

Mr. Allen moved to re-consider the vote by which the Senate agreed to the resolution that when it adjourns it will adjourn to meet on Tuesday next, at 3 o'clock, P. M.

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. I. Bonnell, Depew, Hoxsey, Robertson, Somers—5.

NAYS—Messrs. Alexander, (Pres.), Allen, Franklin, Howell, Laird, Roberts, Smith, Swain—8.

So said motion to adjourn was not agreed to.

The motion to re-consider the vote upon said resolution was then agreed to.

Mr. Hoxsey offered the following resolution :

Resolved, That when the Senate adjourns, it adjourn to meet on Monday next, at 3 o'clock, P. M.

Which was read and agreed to.

On motion of Mr. Allen,

The Senate then adjourned.

MONDAY, April 2, 1855.

At 3 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The Secretary, under the direction of the President, proceeded to call the Senate, when the following named Senators appeared in their seats, and answered the call:

Present—Messrs. Alexander, (Pres.) Allen, Bramhall, Franklin, Martin, Somers—6.

There being no quorum present,

On motion of Mr. Franklin,

The Senate then adjourned.

TUESDAY, April 3, 1855.

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Geissenheimer.

The Secretary, under the direction of the President, proceeded to call the Senate, when the following named Senators appeared in their seats, and answered the call:

Present—Messrs. Alexander, (Pres.), Allen, Bramhall, Cowperthwaite, Franklin, Hoxsey, Martin, Roberts, Somers, Smith —10.

There being no quorum present,

Mr. Hoxsey moved that the Senate adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Bramhall, Hoxsey, Somers—3.

NAYS—Messrs. Allen, Cowperthwaite, Franklin, Martin, Roberts, Smith—6.

So said motion to adjourn was not agreed to.

A quorum appearing, the Senate proceeded to business.

Pending the reading of the Journal, the Secretary, under the direction of the President, proceeded to call the Senate, when the following named Senators appeared in their seats, and answered the call:

Present—Messrs. Alexander, (Pres.) Allen, Bramhall, Cowperthwaite, Franklin, Laird, Martin, Roberts, Somers, Smith —10.

There being no quorum present,

On motion of Mr. Franklin, the Sergeant-at-Arms was dispatched for the absentees.

During his absence,

On motion of Mr. Allen,

The Senate adjourned.

At 3 o'clock the Senate met.

Under the direction of the President, the Secretary proceeded to call the Senate, when the following named Senators appeared in their seats, and answered the call—

Present—Messrs. Alexander, (Pres.), Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Roberts, Somers, Smith—9.

There being no quorum present.

Mr. Hoxsey moved that the Sergeant-at-arms be despatched to bring in the absent Senators.

Which motion was agreed to.

Mr. Cowperthwaite moved that the Senate now adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Cowperthwaite, Laird, Roberts, Smith—4.

NAYS—Messrs. Alexander, (Pres.), Depew, Franklin, Hoxsey, Somers—5.

So said motion to adjourn was not agreed to.

On motion of Mr. Hoxsey, the Assistant Sergeant-at-arms was dispatched for the absent Senators.

Mr. Roberts moved that the Senate now adjourn.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Cowperthwaite, Franklin, Laird, Roberts, Smith—5.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Somers—5.

So said motion to adjourn was not agreed to.

The Sergeant-at-arms having returned with some of the absentees, and a quorum appearing,

The Senate proceeded to business.

The Journal of Friday and yesterday was read and approved

The following Messages were received from His Excellency the Governor, by the hands of Mr. Shreve, his Private Secretary:

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT,
TRENTON, April 2, 1855.

HON. WILLIAM C. ALEXANDER,
President of the Senate:

SIR—I herewith return the act entitled, "An act to incorporate the Freehold Banking Company," which originated in the Senate, objecting to sign the same. My objections may be fully inferred from my views on the policy of the State upon banks and banking, as communicated to you in my message at the commencement of the session, and in my objections communicated to you for returning the Newark City Bank for re-consideration. I am sensible that no objections of mine will prevent any of the bank charters passed by the Legislature from becoming laws. The action of the Legislature is clear and positive, that every special bank charter applied for will be granted. Indeed, I suppose the following resolution passed by the Assembly was intended to declare it to me, as well as to the Senate: "That the concurrent resolution by which the two Houses agreed to adjourn on Thursday, the 29th day of March, be rescinded; and also that the House of Assembly will continue their session until the bills for chartering and re-chartering the banks now before the Senate have been passed, and as many more of the same character as may be introduced."

Bank charters have been passed by the Assembly, without any notice having been given or published previous to the meeting of the Legislature, as required by the statute law. The charter for the City Bank of Newark has been passed by the Constitutional vote, notwithstanding my objections, and with such haste, by the Assembly, that it was re-considered and voted

upon the same day it was returned to that House, in violation of the Constitution. Thus the bank power is shown to be stong enough to pass bank charters, in violation of the Constitution and statute laws. Of what avail, then, can I expect any objections of mine to be? No, the combination is all-powerful and irresistible. The efforts of the sturdy Democracy cannot avail. The mountain torrent is not more impetuous than is the spirit of this bank combination, which has, by a concentration of talent, influence and wealth in the lobbies, forced its way through both Houses without discrimination. Almost every act of the session has been influenced in a greater or less degree by bank influence. My views, honestly entertained and fearlessly expressed, have been, and will be, wholly disregarded; but I do not shrink from asserting, that not one sentiment advanced by me do I take back or alter.

I am still decidedly of opinion that the general banking law is in every essential better for the interest of the people of this State than special bank charters. I think I see the desolation that the numerous bank charters passed at this session of the Legislature will create in our hitherto prosperous State.

The banks chartered and re-chartered, with their large amount of capital, cannot possibly do a prosperous business without fostering a spirit of overtrading and speculation. There is no good reason why a single bank charter should have been granted. The effect of so large an increase of paper money will stimulate business into unhealthy activity. Then must follow the revulsion, panic, curtailment and distress consequent upon overtrading, mercantile failures, bank losses, suspensions, and depreciated paper money. Such is the experience of the past, and what we may anticipate in the future, from this character of legislation. Special banks are insidious enemies to the people; they are aristocratic institutions, and monopolies of an odious form, maintained out of the hard earnings of the poor.

Banking should be open to the free competition of all who choose to enter into that pursuit, and should be established on a foundation which neither panic, mismanagement, ignorance nor fraud can destroy. The bill-holders should always be secure. That which is received as money, should not be liable to change to worthless paper. The incorporation of so many banks, with such a large amount of capital, cannot fail to alarm your constituents. A very large portion of the time of the Legislature has been spent in granting chartered privileges, until it would seem that the few control the many, and that the people no longer govern themselves, but are the subjects of chartered companies, exclusive privileges and monopolies. I have the consolation of knowing that I have done my duty faithfully, but my efforts are ineffectual to prevent such results; and when the

day of sorrow comes, as certain it must, I can fearlessly say to my constituents, "Thou canst not say I did it."

RODMAN M. PRICE.

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT,
TRENTON, April 2, 1855.

HON. WILLIAM C. ALEXANDER,
President of the Senate:

SIR—I herewith return the act entitled, "An act to incorporate the Hunterdon County Bank," objecting to approve the same.

My objections will be found at length in my objections communicated to the Senate, under date of the 28th ultimo, returning the act to incorporate the Newark City Bank, and my objections this day communicated, returning the act incorporating the Freehold Banking Company, for re-consideration; which apply with equal force, in my judgment, against the passage of the act herewith returned, and I respectfully refer to the same.

RODMAN M. PRICE.

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT,
TRENTON, April 2, 1855.

HON. WILLIAM C. ALEXANDER,
President of the Senate:

SIR—I herewith return the act entitled, "An act to incorporate the City Bank at Perth Amboy," objecting to approve the same.

My objections will be found at length in my objections communicated to the Senate, under date of the 28th ultimo, returning the act to incorporate the Newark City Bank, and my objections this day communicated, returning the act incorporating the Freehold Banking Company, for re-consideration; which apply with equal force, in my judgment, against the passage of the act herewith returned, and I respectfully refer to the same.

RODMAN M. PRICE.

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT,
TRENTON, April 2, 1855.

HON. WILLIAM C. ALEXANDER,
President of the Senate;

SIR—I herewith return the act entitled, "An act to incorporate the Gloucester County Bank at Woodbury," objecting to approve the same.

My objections will be found at length in my objections communicated to the Senate, under date of the 28th ultimo, returning the act to incorporate the Newark City Bank, and my objections this day communicated, returning the act incorporating the Freehold Banking Company, for re-consideration; which apply with equal force, in my judgment, against the passage of the act herewith returned, and I respectfully refer to the same.

RODMAN M. PRICE.

Which several messages, with the bills accompanying the same, were ordered to lie on the table.

A message was also received from His Excellency the Governor, by the hands of Mr. Shreve, his private Secretary, as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, March 30, 1855.

Hon. Wm. C. Alexander,
President of the Senate,

SIR—I have this day signed and approved the following bills which originated in your House:

An act relative to the Lunatic Asylum,

Also,

A supplement to an act entitled 'an act to incorporate the New Jersey Exploring and Mining Company,' approved February fifteenth, one thousand eight hundred and forty-nine—and a supplement thereto, approved February twelfth, one thousand eight hundred and fifty-two,

Also,

A Supplement to the act entitled 'an act to incorporate the

Camden and Atlantic Land Company,' approved March tenth, eighteen hundred and fifty three,

Also,

A further supplement to the act entitled 'an act to incorporate the city of Paterson,' approved March nineteenth, eighteen hundred and fifty-one;

Also,

An act to repeal the act entitled 'an act to protect fish in the Swartwout pond in the county of Sussex;

Also,

An act to incorporate the Elizabethport Land Improvement Company;

Also,

Supplement to the act respecting Roads,

Also,

An act to incorporate the Peapack and Plainfield Railroad Company,

Also,

A further supplement to the act entitled 'an act for the relief of persons imprisoned on civil process,' approved April sixteenth, eighteen hundred and forty-six.

RODMAN M. PRICE.

Mr. Bramhall moved a suspension of so much of the twenty-third rule as prescribes that one day's notice at least shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

A further supplement to the act entitled 'an act against Usury,' approved April tenth, eighteen hundred and forty-six, and explanatory of the act entitled 'a further supplement to the act entitled 'an act against Usury,' approved March second, eighteen hundred and fifty-four.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The bill entitled

An act further supplementary to an act entitled 'an act to establish a Militia system,' approved April seventeenth, eighteen hundred and forty-six,

Also,

The bill entitled,

A supplement to the act entitled an act for the punishment of Crimes,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

On motion of Mr. Allen,

The Senate then adjourned.

WEDNESDAY, April 4, 1855.

At 10 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The Journal of the previous day was read and approved.

Mr. Allen moved a suspension of so much of the twenty third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled

An act relative to certain Banks.

Which was read for the first time by its title, ordered to have a second reading, and referred to the committee on the Judiciary.

Mr. Hoxsey moved a suspension of so much of the twenty-third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled,

An act explanatory of the act entitled 'an act further supple-

mentary to act establishing a Militia system,' approved April seventeenth, eighteen hundred and forty-six, and which said further supplement was approved April third, eighteen hundred and fifty-four.

Which was read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Militia.

Mr. Hoxsey moved a suspension of so much of the twenty-third rule as requires that all public bills, after the first reading, shall be printed for the use of the Senate, in order to dispense with the printing of said bill.

Which motion was agreed to, and so much of said rule was suspended accordingly.

On motion of the same Senator, the printing of said bill was then dispensed with.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, April 4, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill from the Senate entitled,

An act to regulate the grading of the streets, paving and curbing in the town of Salem,

Also,

The bill from the Senate entitled,

An act for incorporating Vessel Building Associations,

Without amendment.

Also,

That the House of Assembly have concurred in the amendments made by the Senate to

The bill entitled,

A supplement to the act entitled 'an act incorporating the inhabitants of townships, designating their powers, and regulating their meetings,' approved April fourteenth, one thousand eight hundred and forty-six;

Also,

The bill entitled,

An act to incorporate the Children's Aid Society, in the city of Newark;

Also,

The bill entitled

An act to incorporate the Port Monmouth Transportation Company;

And have caused said bills to be re-engrossed, and the amendments made thereto by the Senate embodied therein, and has passed the same.

That the House of Assembly has passed the following concurrent resolution:

Resolved, (Senate concurring) That this House will adjourn *sine die* on Friday next, the sixth instant.

In which the concurrence of the Senate is requested.

Also,

That the House of Assembly have concurred in the following resolution from the Senate:

Resolved, (Assembly concurring,) That a Joint Committee be appointed to examine the Perry Rifle manufactured at Newark in this State, and report as to the propriety and expense of having a portion or all of the arms of the State altered to conform to that pattern;

And have appointed Messrs. Tompkins, T. W. Demarest,

and Stratton, said Committee on the part of the House of Assembly.

P. D. VROOM, Clerk.

Mr. Franklin presented a petition from John R. Pierson and others, citizens of Newark, in favor of the passage of the law authorizing the removal of the railroad track now laid down in Broad street, from the Morris and Essex Railroad, through Park Place and Centre street, in the city of Newark,

Which was read and ordered to lie on the table.

The same Senator presented the proceedings and resolutions of a public meeting held in Newark upon the same subject,

Which were ordered to lie on the table without reading.

The President laid before the Senate a communication from Asa Whitehead and Joseph P. Bradley, Esqs., counsel for the Morris and Essex Railroad Company, in relation to the same subject,

Which was read and ordered to lie on the table.

A message was received from His Excellency, the Governor by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW-JERSEY,
Executive Department.

Trenton, April 3d, 1855.

Hon. Wm. C. Alexander,

President of the Senate,

SIR—I have this day signed and approved the following bills which originated in your House, viz:

A supplement to the act entitled 'an act for the punishment of Crimes.'

Also,

A supplement to an act approved April the sixteenth, eighteen hundred and forty-six, and entitled 'an act regulating proceedings and trials in Criminal Cases,'

Also,

An act for the relief of the Methodist Episcopal Churc h a Madison, in the county of Morris;

Also,

Supplement to an act entitled 'an act to incorporate the Elizabethtown Savings Institution,' approved March first, eighteen hundred and fifty,

Also,

An act further supplementary to an act entitled 'an act establishing a militia system,' approved April seventeenth, eighteen hundred and forty-six.

RODMAN M. PRICE.

The bill entitled,

An act to regulate the grading of the streets, paving and curbing in the town of Salem;

Also,

The bill entitled,

An act incorporating Vessel Building Associations,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

'I certify that this bill originated in the Senate.'

A. R. THROCKMORTON,
Secretary of Senate.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill entitled,

A further supplement to the act entitled 'an act against Usury,' approved April tenth, eighteen hundred and forty-six, and explanatory of the act entitled 'a further supplement to the act entitled 'an act against Usury,' approved March second, eighteen hundred and fifty-four.

Also,

The bill entitled,

An act relative to certain Banks,

Reported the same severally,
Without amendment.

Mr. Somers, from the Committee on the Militia, to which was referred

The bill entitled,

An act explanatory of the act entitled 'an act further supplementary to act establishing a Militia system,' approved April seventeenth, eighteen hundred and forty-six, and which said further supplement was approved April third, eighteen hundred and ffity-four.

Reported the same,
Without amendment.

Mr Depew, from the Senate Joint Committee on Passed Bills, presented the following report:

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 129. entitled

An act for the relief of the Methodist Episcopal Church a Madison, in the county of Morris;

Also,

Senate bill No. 144, entitled,

A supplement to an act approved April the sixteenth,

eighteen hundred and forty-six, and entitled 'an act regulating proceedings and trials in Criminal Cases,'

Also,

Senate bill No. 136, entitled

A supplement to the act entitled 'an act for the punishment of Crimes.'

Also,

Senate bill No. 76, entitled,

An act further supplementary to an act entitled 'an act establishing a militia system,' approved April seventeenth, eighteen hundred and forty-six.

DANIEL D. DEPEW,
Chairman of said Com'e.

April 3, 1855.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

An act to protect the people of the state of New Jersey against ignorant practitioners of physic and surgery,

Also,

The re-engrossed bill entitled,

An act concerning Evidence;

And find the same to be severally correctly engrossed.

The re-engrossed bill entitled

An act to regulate fishing in Manasquan river, in the counties of Monmouth and Ocean;

Was taken up, and

On motion of Mr. Laird, the further consideration of the same postponed to the next session of the Legislature.

The re-engrossed bill entitled,

An act concerning Evidence,

Was taken up and having been read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Cowperthwaite, Depew Franklin, Howell, Hoxsey, Laird, Martin, Roberts,Robertson, Somers, Smith, Swain—15.

NAYS—None.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The re-engrossed bill entitled,

An act to incorporate the Bridgeton and Marlton Turnpike Company,

Was taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Roberts, Robertson, Somers, Smith, Swain—16.

Nays—None.

Ordered, That the President sign said bill, the Secretary inform the House of Assembly that the Senate has concurred in the amendments made in the House of Assembly to said bill, and has ordered said bill to be re-engrossed, and has passed the same.

The bill entitled,

An act to incorporate the Delaware and Hudson Telegraph Company;

Was taken up upon its final passage; and having been read,

Mr. Franklin moved that the vote by which said bill was ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator moved that said bill be re-committed to the Committee on Corporations.

Which motion was agreed to, and the bill re-committed accordingly.

The engrossed bill entitled,

Supplement to the act entitled 'an act relating to the Public Printing,'

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Cowperthwaite, Depew, Franklin, Howell, Laird, Martin, Roberts, Somers, Smith, Stults, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The engrossed bill entitled,

A further supplement to the act concerning Roads,

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Allen, Cowperthwaite, Franklin, Laird, Martin, Roberts, Somers, Smith, Stults Swain—10.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Howell, Hoxsey—4.

Mr. Hoxsey moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

Upon its second reading at this time.

The bill entitled,

An act explanatory of the act entitled 'an act further supplemental to an act establishing a militia system,' approved April seventeenth, eighteen hundred and forty-six, and which said further supplement was approved April third, eighteen hundred and fifty-five.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was taken up, read a second time, considered by sections and agreed to, and ordered to be engrossed have a third reading.

Mr. Allen moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

Upon its second reading at this time.

The bill entitled,

An act relative to certain Banks.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up, read a second time, considered by sections and agreed to, and ordered to be engrossed and have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, April 4, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assemly has passed

The bill entitled,

A further supplement to an act entitled 'an act to incorporate the city of Trenton,' passed the seventh day of March, A. D. eighteen hundred and thirty-seven.

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill entitled,

An act concerning Evidence;

Also,

The bill entitled

An act to incorporate the Bridgeton and Marlton Turnpike Company,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The bill entitled,

An act to incorporate the Freehold Banking Company,

Which was returned to the Senate yesterday by the Governor, with his objections to the same,

Was taken up.

The objections having been read, and the bill re-considered,

Upon the question,

Shall this bill again pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—12.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Hoxsey, Robertson, Somers—6.

Ordered, That the President certify said bill, the Secretary carry it to the House of Assembly, and inform them that said bill having passed both Houses, was sent to the Governor for his approval; that having been returned by the Governor to the Senate with his objections thereto, the Senate has re-considered said bill, and passed the same, and send it to the House of Assembly with the objections of the Governor, and requests the concurrence of the House of Assembly in the action of the Senate.

The bill entitled,

An act to incorporate the Hunterdon County Bank,

Which was returned to the Senate yesterday by the Governor, with his objections to the same,

Was taken up.

The objections having been read, and the bill re-considered,

Upon the question,

Shall this bill again pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—12.

NAYS—Messrs. Alexander, (Pres.), I. Bonnell, Depew, Hoxsey, Robertson, Somers—6.

Ordered, That the President certify said bill, the Secretary carry it to the House of Assembly, and inform them that the bill having passed both Houses, was sent to the Governor for his approval; that having been returned by the Governor to the Senate with his objections thereto, the Senate has re-considered said bill, and passed the same, and send it to the House of Assembly with the objections of the Governor, and requests the concurrence of the House of Assembly in the action of the Sedate.

The bill entitled,

An act to incorporate the Gloucester County Bank at Woodbury,

Which was returned to the Senate yesterday by the Governor with his objections to the same,

Was taken up; and the objections having been read and the bill re-considered,

Upon the question,

Shall this bill again pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—12.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Hoxsey, Robertson, Somers—6.

Ordered, That the President certify said bill. the Secretary carry it to the House of Assembly, and inform them that said bill having passed both Houses, was sent to the Governor for his approval; that having been returned by the Governor to the Senate with his objections thereto, the Senate has re-considered said bill, and passed the same, and send it to the House of Assembly with the objections of the Governor, and requests the concurrence of the House of Assembly in the action of the Senate.

The bill entitled,
An act to incorporate the City Bank of Perth Amboy,

Which was returned to the Senate yesterday by the Governor with his objections to the same,

Was taken up, and the objections read, and the bill re-considered.

Upon the question,
Shall this bill again pass?
It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Roberts, Smith, Stults, Swain —11.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Howell, Hoxsey, Robertson, Somers—7.

Mr. Allen offered the following resolution:
Resolved, That this bill having received a majority of the votes of the members of the Senate, has received a Constitutional majority, and has passed said bill, and that the President be instructed to sign the same.

Which was read.

The President asked to be excused from voting upon said resolution, having previously given his opinion to the Senate upon the question.

Mr. Allen moved that the President be excused.

Which motion was agreed to unanimously.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain —11.

NAYS—Messrs. I. Bonnell, Depew, Hoxsey, Laird, Robertson, Somers—6.

Ordered, That the President certify said bill, the Secretary carry it to the House of Assembly, and inform them that said bill having passed both Houses, was sent to the Governor for his approval; that having been returned by the Governor to the Senate with his objections thereto, the Senate has re-considered said bill, and passed the same, and send it to the House of Assembly with the objections of the Governor, and requests the concurrence of the House of Assembly in the action of the Senate.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act explanatory of the act entitled 'an act further supplemental to an act establishing a militia system,' approved April seventeenth, eighteen hundred and forty-six, and which said further supplement was approved April third, eighteen hundred and fifty-five;

An act relative to cer tain Banks,

And find the same to be severally correctly engrossed.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill entitled

An act to incorporate the Delaware and Hudson Telegraph Company,

Reported the same,
With sundry amendments.

Mr. Allen moved a suspension of so much of the twenty fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

The engrossed bill entitled,

An act relative to certain Banks,

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, Somers—5.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. Hoxsey moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

Upon its final passage at this time

The engrossed bill entitled,

An act explanatory of the act entitled 'an act further supplemental to an act establishing a militia system;' approved April seventeenth, eighteen hundred and forty-six, and which said further supplement was approved April third, eighteen hundred and fifty-five.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this engrossed bill pass ?

It was decided in the affirmative, as follows :

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Roberts, Somers, Stults, Swain—16.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill from the House of Assembly entitled,

A further supplement to the act entitled 'an act to incorporate the city of Trenton,' passed the seventh day of March, in the year of our Lord one thousand eight hundred and thirty-seven,

Was taken up and read for the first time by its title, ordered to have a second reading, and referred to the committee on Municipal Corporations.

The concurrent resolution from the House of Assembly as follows—

Resolved (Senate concurring), That this House will adjourn *sine die* on Friday, the 6th instant,

Was taken up and read.

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows—

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Cowperthwaite, Depew, Hoxsey, Robertson, Somers, Swain—8.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Franklin, Howell, Martin, Roberts, Smith, Stults—9.

So said concurrent resolution was not agreed to.

Ordered, That the Secretary inform the House of Assembly that the Senate do not concur in said concurrent resolution.

The bill entitled,

A further supplement to the act entitled 'an act against Usury,' approved April tenth, eighteen hundred and forty-six, and explanatory of the act entitled 'a further supplement to the act entitled 'an act against Usury,' approved March second, eighteen hundred and fifty-four.

Was taken up, read a second time, and pending the consideration of the first section,

On motion of Mr. Hoxsey, the further consideration of said bill was postponed for the present.

Mr. Franklin moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

Upon its second reading at this time.

The bill entitled,

An act to incorporate the Delaware and Hudson Telegraph Company,

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up, and having been read a second time, the amendments reported by the Committee on Corporations, to which it was re-committed, were considered and agreed to, and the bill ordered to be engrossed and have a third reading.

The bill from the House of Assembly, entitled,

An act to encourage the agricultural developments of the state, and enable persons of moderate means to become landholders,

Was taken up and read, and pending the consideration of the the sixth section,

On motion of Mr. Hoxsey, the further consideration of said bill was postponed for the present.

The bill from the House of Assembly, entitled

An act to incorporate the Farmers and Drovers Bank of Hudson County,

Was taken up and read a second time.

Mr. Hoxsey offered the following resolution:

Resolved, That inasmuch as no notice has been given of said application to the Legislature, in conformity to law, that the further consideration of said bill be postponed until the next session of the Legislature.

Which was read—and

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows—

Ayes—Messrs. Alexander, (Pres) I.Bonnell, Depew, Howell, Hoxsey, Robertson, Somers—7.

Nays—Messrs. Allen, A. V. Bonnell, Franklin, Laird, Martin, Roberts, Smith, Stults, Swain—9.

So said resolution was not agreed to.

On motion of Mr. Allen, the further consideration of said bill was postponed until this afternoon.

On motion of Mr. Roberts,

The Senate then adjourned.

At 3 o'clock the Senate met.

Mr. Depew, from the Committee on Passed Bills, reported as follows—

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 150, entitled,

An act to incorporate the Bridgeton and Marlton Turnpike Company,

Also,

Senate bill No. 135, entitled

An act concerning Evidence;

Also,

Senate bill No. 160, entitled,

An act for incorporating Vessel Building Associations;

Also,

Senate bill No. 159, entitled

An act to regulate the grading of the streets, paving and curbing in the town of Salem,

DANIEL D. DEPEW,
Chairman of said Com'e.

April 4, 1855.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to incorporate the Delaware and Hudson Telegraph Company;

And find the same to be correctly engrossed.

Mr. A.V. Bonnell moved a suspension of so much of the twenty third rule as prescribes that one day's notice, at least, shall be given of an intended motion for leave to bring in a bill or joint resolution, in order to introduce a bill at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

The same Senator then asked and obtained leave to introduce

A bill entitled

An act to defray the postage and travelling expenses of the State Superintendent of Public Schools.

Which was taken up, read for the first time by its title, ordered to have a second reading, and referred to the Committee on the Judiciary.

The same Senator moved a suspension of so much of the twenty-third rule as requires that all public bills, after the first reading, s hall be printed for the use of the Senate, in order to dispense with the printing of said bill.

Which motion was agreed to, and so much of said rule was suspended accordingly.

On motion of the same Senator, the printing of said bill was then dispensed with.

The bill from the House of Assembly, entitled

An act to encourage the agricultural developments of the State, and enable persons of moderate means to become landholders, &c.

Which was postponed this morning pending the consideration of the sixth section,

Was taken up, and pending the consideration of said seetion, was further postponed for the present.

Mr. Swain, from the Committee on Municipal Corporations, to which was re-committed

The bill entitled,

A further supplement to the act entitled 'an act to incorporate Jersey City,' approved the eighteenth day of March, eighteen hundred and fifty-one,

Reported the same,
Without amendment.

The same Senator, from the same Committee, to which was referred

The bill from the House of Assembly entitled,

A further supplement to an act entitled 'an act to incorporate the city of Trenton,' passed the seventh day of March, A. D. eighteen hundred and thirty-seven.

Reported the same without amendment.

The bill from the House of Assembly entitled

An act to incorporate the Farmers and Drovers Bank of Hudson County,

Which was postponed this morning after being read a second time,

Was taken up and considered by sections.

The nineteenth section thereof as follows—

19. And be it enacted, That it shall not be lawful for the said corporation to issue any bills or notes, or otherwise enter upon the business of banking, until an affidavit or affidavits shall have been made and filed in the office of the Secretary of State, stating that thirty thousand dollars of the capital stock of said corporation had been subscribed for and paid in, conformable to the provisions of this act.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out the

word 'thirty,' in the fourth line, and inserting in the place thereof the words 'one hundred.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows—

AYES—Messrs. Alexander, (Pres.) Depew, Hoxsey, Somers—4.

NAYS—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Roberts, Smith, Stults, Swain—12.

So said motion to amend was not agreed to.

Said section was then agreed to.

The remaining section of said bill was then considered and agreed to.

The ayes and nays being demanded and ordered upon the question of ordering said bill to have a third reading, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Robertson, Somers—5.

Said bill having been read a second time, considered by sections and agreed to, was ordered to have a third reading.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, April 4, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill from the Senate entitled,

A supplement to an act entitled 'an act to incorporate the Beverly Steam Power Company,' approved March eighteenth, eighteen hundred and fifty-one;

Also,

The bill from the Senate entitled,

A further supplement to the act approved April sixteenth, eighteen hundred and forty-six, and entitled 'an act for the relief of Creditors against absconding and absent Debtors;'

Also,

The bill from the Senate entitled,

A supplement to the act entitled 'an act to enable the owners of the tide-swamp and marshes to improve the same, and the owners of meadows already banked in, and held by different persons, to keep the same in good repair,' passed the twenty ninth of November, seventeen hundred and eighty-eight;

Also,

The bill from the Senate entitled,

An act to extend the time for completing the New York, Elizabethtown and Morristown Railroad;

Without amendment.

P. D. VROOM, Clerk.

The bill entitled,

A supplement to an act entitled 'an act to incorporate the Beverly Steam Power Company,' approved March eighteenth, eighteen hundred and fifty-one;

Also,

The bill entitled,

A further supplement to the act approved April sixteenth, eighteen hundred and forty-six, and entitled 'an act for the relief of Creditors against absconding and absent Debtors;'

Also,

The bill entitled,

A supplement to the act entitled 'an act to enable the owners of the tide swamp and marshes to improve the same, and the owners of meadows already banked in, and held by different persons, to keep the same in good repair,' passed the twenty ninth of November, seventeen hundred and eighty-eight;

Also,

The bill entitled,

An act to extend the time for completing the New York, Elizabethtown and Morristown Railroad,

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

'I certify that this bill originated in the Senate.'

A. R. THROCKMORTON,
Secretary of Senate.

The bill from the House of Assembly, entitled

An act to authorize the removal of a certain railroad track from certain parts of the city of Newark,

Was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative, as follows:

Ayes—Messrs. A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Stults, Swain—10.

Nays—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Hoxsey, Robertson, Somers—7.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

A message was received from the House of Assembly, by the hands of Mr. Vroom, their Clerk, and read as follows.

HOUSE OF ASSEMBLY, April 4, 1855.

Mr. President:—

I am directed by the House of Assembly to infrom the Senate that the House of Assembly have passed

The bill from the Senate entitled,

An act explanatory of the act entitled 'an act further supplemental to an act establishing a militia system,' approved April seventeenth, eighteen hundred and forty-six, and which said further supplement was approved April third, eighteen hundred and fifty-five;

Also,

The bill from the Senate entitled,

An act relative to certain Banks,

Without amendment.

Also,

That the House of Assembly have passed

The bill entitled,

A further supplement to an act entitled 'an act to incorporate the Raritan and Delaware Bay Railroad Company,' approved March third, eighteen hundred and fifty-four;

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill entitled,

An act relative to certain Banks,

Also,

The bill entitled

An act explanatory of the act entitled 'an act further supplemental to an act establishing a militia system,' approved April seventeenth, eighteen hundred and forty-six, and which said further supplement was approved April third, eighteen hundred and fifty-five'

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

The bill from the House of Assembly, entitled

A further supplement to an act entitled 'an act to incorporate the Raritan and Delaware Bay Railroad Company,' approved March third, eighteen hundred and fifty-four,

Was taken up, and read for the first time by its title, ordered to have a second reading, and referred to the Committee on Corporations.

On motion of Mr. Hoxsey,

The Senate then adjourned.

THURSDAY, April 5, 1855

At 10 o'clock the Senate met.

The session was opened with prayer by the Rev. Mr. Geisenheimer.

The Journal of the previous day was read and approved.

Mr Depew, from the Senate Joint Committee on Passed Bills, presented the following report:

The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval,

Senate bill No. 118. entitled

A supplement to an act approved April sixteenth, eighteen hundred and forty-six, and entitled an act for the relief of creditors against absconding and absent debtors;'

Also,

Senate bill No. 130, entitled,

A supplement to the act entitled 'an act to enable the owners of the tide-swamp and marshes to improve the same, and the owners of meadows already banked in, and held by different persons, to keep the same in good repair,' passed the twenty ninth of November, seventeen hundred and eighty-eight;

Also,

Senate bill No. 156, entitled,

An act to extend the time for completing the New York, Elizabethtown and Morristown Railroad,

Also,

Senate bill No. 172, entitled

An act relative to certain Banks,

Also,

Senate bill No. 173, entitled

An act explanatory of the act entitled 'an act further supplementary to act establishing a Militia system,' approved April seventeenth, eighteen hundred and forty-six, and which said further supplement was approved April third, eighteen hundred and fifty-five.

Also,

Senate bill No. 88, entitled

A supplement to an act entitled 'an act to incorporate the Beverly Steam Power Company,' approved March eighteenth, eighteen hundred and fifty-one.

April 4th, 1855.

DANIEL D. DEPEW,
Chairman of said Com'e.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill entitled

An act to defray the postage and travelling expenses of the State Superintendent of Public Schools,

Reported the same,
Without amendment.

The engrossed bill entitled,

An act to incorporate the Delaware and Hudson Telegraph Company;

Was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Robertson, Somers, Smith, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

The bill entitled,

An act to defray the postage and travelling expenses of the State Superintendent of Public Schools,

Was taken up, read a second time, considered by sections and agreed to, and ordered to be engrossed, and have a third reading.

The bill from the House of Assembly, entitled

A further supplement to the act entitled 'an act to incorporate the city of Trenton,' passed the seventh day of March, in the year of our Lord one thousand eight hundred and thirty-seven,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly, entitled

A further supplement to an act entitled 'an act to incorporate the Raritan and Delaware Bay Railroad Company,' approved March third, eighteen hundred and fifty-four;

Reported the same,
Without amendment.

Said bill was then taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

The bill from the House of Assembly entitled

An act to incorporate the Farmers and Drovers Bank of Hudson County,

Was taken up and read.

Mr. Hoxsey offered the following preamble and resolution—

Whereas, The bill now under consideration, entitled 'an act to incorporate the Farmers' and Drovers' Bank of Hudson County,' has not published any notice of its application to the Legislature as required by law—therefore,

Resolved, That the passage of said bill without notice would be improper, and that the same be postponed to the next session of the Legislature.

Which were read.

Mr. Allen moved to amend said preamble and resolution by striking out the preamble and all after the word 'resolved,' and insert the following—'That the further consideration of said bill be postponed until this afternoon.'

The ayes and nays being demanded and ordered upon the question of agreeing to said amendment, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Swain—12.

NAYS—Messrs. Alexander, (Pres), Bramhall, Depew, Hoxsey, Robertson, Somers—6.

So said amendment was agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution as amended, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Swain—12.

NAYS—Messrs. Alexander, (Pres.) Bramhall, Depew, Hoxsey, Robertson, Somers—6.

So said resolution was agreed to, and the further consideration of the bill postponed accordingly.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to defray the postage and travelling expenses of the State Superintendent of Public Schools.

And find the same to be correctly engrossed.

The bill entitled,

A further supplement to the act entitled 'an act against Usury,' approved April tenth, eighteen hundred and forty-six, and explanatory of the act entitled 'a further supplement to the act entitled 'an act against Usury,' approved March second, eighteen hundred and fifty-four.

Which was postponed yesterday upon the consideration of the first section thereof,

Was taken up, considered by sections, amended and agreed to, and ordered to be engrossed, and have a third reading.

The hour to which the Joint Meeting was adjourned having arrived, the Senate proceeded in a body to the House of Assembly, in order to go into Joint Meeting.

After some time spent therein, the Senate returned to the Senate Chamber, and came to order.

On motion of Mr. Hoxsey,

The Senate then adjourned.

At 3 o'clock the Senate met.

The Secretary, under the direction of the President, proceeded to call the Senate, when the following Senators appeared and answered the call—

Present—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Chetwood, Depew, Howell, Robertson, Somers—9.

No quorum present.

After a short time, a quorum appearing, the Senate proceeded to business.

Mr. Smith offered the following resolution:

Resolved, That when the Senate adjourns it adjourn to meet to-morrow morning at half past ten o'clock.

Which was read.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Howell, Smith, Swain—7.

NAYS—Messrs. I. Bonnell, Depew, Somers—3.

So said resolution was agreed to.

The hour to which the Joint Meeting was adjourned having arrived, the Senate proceeded in a body to the House of Assembly, in order to go into Joint Meeting.

After some time spent therein, the Senate returned to the Senate Chamber, and again came to order.

The engrossed bill entitled,

An act to protect the people of the state of New Jersey against ignorant practitioners of physic and surgery,

Was taken up and read a third time.

Mr. Laird moved that the vote by which said bill was ordered to be engrossed and have a third reading,

Be re-considered.

Which motion was agreed to, and the vote re-considered accordingly.

The same Senator moved that said bill be re-committed to the Committee on Corporations.

Which motion was agreed to, and the bill re-committed accordingly.

Mr. A. V. Bonnell offered the following concurrent resolution:

Resolved, (House of Assembly concurring,) That this Legislature will adjourn *sine die* on Friday the sixth instant, at eleven o'clock A. M.

Which was read and agreed to.

Ordered, That the Secretary inform the House of Assembly of the passage of said concurrent resolution, and request their concurrence.

On motion of Mr. Swain,

The bill entitled,

An act to incorporate the Mount Vernon Hotel Association,

Was postponed to the next session of the Legislature.

Mr. Bramhall moved that

The bill entitled,

A further supplement to the act entitled 'an act to incorpo-

rate Jersey City,' approved the eighteenth day of March, eighteen hundred and fifty-one,

Be postponed to the next session of the Legislature.

Which motion was agreed to, and the bill postponed accordingly.

Mr. Hoxsey moved that

The bill entitled,

A supplement to the act to regulate elections, approved April sixteenth, eighteen hundred and forty-six,

Be indefinitely postponed.

Which motion was agreed to, and said bill postponed accordingly.

Mr. Allen moved a suspension of so much of the twenty fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

The bill from the House of Assembly entitled

A further supplement to an act entitled 'an act to incorporate the Raritan and Delaware Bay Railroad Company,' approved March third, eighteen hundred and fifty-four,

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Robertson, Smith—12.

NAYS—Messrs. Alexander, (Pres.), I. Bonnell, Depew, Hoxsey, Somers, Swain—6.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

Mr. Swain moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

The bill from the House of Assembly, entitled

A further supplement to an act entitled 'an act to incorporate the city of Trenton,' passed the seventh day of March, A. D. eighteen hundred and thirty-seven.

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Martin, Smith, Swain—11.

Nays—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

A further supplement to the act entitled 'an act against

Usury,' approved April tenth, eighteen hundred and forty-six, and explanatory of the act entitled "a further supplement to the act entitled 'an act against Usury,'" approved March second, eighteen hundred and fifty-four,

And find the same to be correctly engrossed.

Mr. Laird, from the Committee on Corporations, to which was re-c-mmitted

The bill entitled,

An act to protect the people of the State against ignorant practitioners of Physic and Surgery,

Reported the same,
With sundry amendments.

Said bill was then taken up, the amendments considered and agreed to, and the bill ordered to be engrossed and have a third reading.

A message was received from the House of Assembly, by the hands of Mr. Vroom, their Clerk, and read as follows.

HOUSE OF ASSEMBLY, April 5, 1855.

Mr. President:—

Iam directed by the House of Assembly to inform the Senate that the House of Assembly have passed

The bill from the Senate entitled,

Supplement to the act entitled 'an act relating to the Public Printing,

Without amendment.

Also,

That the House of Assembly have re-considered

The bill entitled,

An act to incorporate the Gloucester County Bank at Woodbury,

Also,

The bill entitled,

An act to incorporate the Hunterdon County Bank,

Also,

The bill entitled,

An act to incorporate the City Bank of Perth Amboy,

Also,

The bill entitled,

An act to incorporate the Freehold Banking Company,

Received from the Senate with the objections of the Governor thereto in writing, and have severally passed the same, and caused a certificate to that effect to be endorsed on each thereof.

P. D. VROOM, Clerk.

The bill entitled,

Supplement to the act entitled 'an act relating to the Public Printing,'

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement thereon:

"I certify that this bill originated in the Senate."

A. R. THROCKMORTON,
Secretary of Senate.

Mr. Bramhall moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

Upon its final passage at this time

The engrossed bill entitled,

A further supplement to the act entitled 'an act against Usury,' approved April tenth, eighteen hundred and forty-six, and explanatory of the act entitled "a further supplement to the act entitled 'an act against Usury,'" approved March second, eighteen hundred and fifty-four.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Roberts, Somers, Smith, Swain—14.

NAYS—Messrs. Allen, A. V. Bonnell, Martin—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, and request their concurrence.

Mr. A. V. Bonnell moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

Upon its final passage at this time,

An act to defray the postage and travelling expenses of the State Superintendent of Public Schools,

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this re-engrossed bill pass?

It was decided in the negative as follows:

AYES—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Hoxsey, Robertson, Somers, Swain—8.

NAYS—Messrs. Allen, Bramhall, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith—9.

A message was received from His Excellency, the Governor by the hands of Mr. Shreve, his private Secretary, and read as follows:

STATE OF NEW-JERSEY,
Executive Department.

Trenton, April 5th, 1855.

Hon. Wm. C. Alexander,

President of the Senate,

SIR—I have this day signed and approved the following bills which originated in your House, viz:

An act concerning Evidence;

Also,

An act to incorporate the Bridgeton and Marlton Turnpike Company,

Also,

An act for incorporating Vessel Building Associations;

Also,

An act to regulate the grading of the streets, paving and curbing in the town of Salem,

Also,

An act relative to certain Banks,

Also,

An act to extend the time for completing the New York, Elizabethtown and Morristown Railroad,

Also,

An act explanatory of the act entitled 'an act further supplementary to act establishing a Militia system,' approved Apri seventeenth, eighteen hundred and forty-six, and which said further supplement was approved April third, eighteen hundred and fifty-five.

Also,

A supplement to an act approved April sixteenth, eighteen hundred and forty-six, and entitled an act for the relief of creditors against absconding and absent debtors ;'

Also,

A supplement to the act entitled 'an act to enable the owners of the tide-swamp and marshes to improve the same, and the owners of meadows already banked in, and held by different persons, to keep the same in good repair,' passed the twenty ninth of November, seventeen hundred and eighty-eight.

RODMAN M. PRICE.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, April 5, 1855.

Mr. President :

I am directed by the House of Assembly to inform the Senate that the House of Assembly have concurred in the following concurrent resolution from the Senate:

Resolved, (House of Assembly concurring,) That the Legislature will adjourn *sine die* on Friday the sixth instant, at 11 o'clock, A. M.

P. D. VROOM, Clerk.

Mr. Bramhall moved that

The bill from the House of Assembly entitled,

An act to incorporate the Jersey City Commercial and Improvement Company,

Be postponed to the next session of the Legislature.

Which motion was agreed to, and said bill postponed accordingly.

Mr. Hoxsey moved that

The bill from the House of Assembly, entitled,

An act relating to the Hudson Brigade,

Be indefinitely postponed.

Which motion was agreed to, and said bill postponed accordingly.

The bill from the House of Assembly entitled,

An act to encourage the agricultural developments of the state, and enable persons of moderate means to become landholders, &c.

Which was postponed yesterday pending the consideration of the sixth section, was taken up.

Said section as follows—

6. AND BE IT ENACTED, That this act shall be deemed a public act, and shall take effect immediately.

Being under consideration,

Mr. Hoxsey offered a substitute for said section, to be called section six, as follows—'Sec. 6. And be it enacted, That no incorporation organized or formed under this act shall at any one time hold or possess real or personal estate exceeding in value the sum of ten thousand dollars.'

The ayes and nays being demanded and ordered upon the question of agreeing to said substitute, were as follows—

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Hoxsey, Laird—5.

NAYS—Messrs. Allen, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith—8.

So said substitute was not agreed to.

The same Senator offered a substitute for said section, to be called section six, as follows—'Sec. 6. And be it enacted, That no incorporation organized or formed under the act shall at any one time hold or possess real or personal estate exceeding in value the sum of fifty thousand dollars.'

The ayes and nays being demanded and ordered upon the question of agreeing to said substitute, were as follows—

AYES—Messrs. I. Bonnell, Depew, Hoxsey—3.

NAYS—Messrs. Alexander, (Pres.) Allen, Chetwood, Cowperthwaite, Martin, Roberts, Smith—7.

So said substitute was not agreed to.

The same Senator then offered a substitute for the sixth section of said bill, as follows—'Sec. 6. And be it enacted, That no corporation organized or formed under this act shall at any one time hold or possess real or personal estate exceeding in value the sum of one hundred thousand dollars.'

The ayes and nays being demanded and ordered upon the question of agreeing to said substitute, were as follows—

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Hoxsey, Laird, Robertson, Somers—7.

NAYS—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Swain—11.

So said substitute was not agreed to.

Mr. Hoxsey then moved to strike out the sixth section of said bill.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Laird, Robertson, Somers—8.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Swain—10.

So said motion was not agreed to.

Said section was then agreed to.

The preamble of said bill as follows—

WHEREAS, many persons of limited means, salaries or wages, are unable to purchase land in small quantities suited to their purposes, and pay for the same gradually out of their savings; AND WHEREAS, it is believed that by persons associating together, they can accomplish what, as individuals, they would be unable to do, and that numbers combining together, and throwing their savings into a common fund, the shares to be payable in some easy and convenient instalments, as may be mutually agreed upon, they may assist each other in the purchase of land, erection of improvements, securing homesteads for families, or in fencing and cultivating the land; therefore,

Being under consideration,

Mr. Hoxsey moved to strike out said preamble.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

AYES—Messrs. Alexander, (Pres.) I. Bonnell, Depew, Hoxsey, Robertson, Somers—6.

NAYS—Messrs. Allen, A. V. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Laird, Martin, Roberts, Smith, Swain—12.

So said motion was not agreed to.

Mr. Hoxsey then moved to amend said preamble by striking out all after the word 'savings,' in the third line thereof.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

Ayes—Messrs. I. Bonnell, Depew, Hoxsey—3.

Nays—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bram-

hall, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Smith, Swain—12.

So said motion was not agreed to.

The preamble to said bill was then agreed to.

The title of said bill as follows—

An act to encourage the agricultural developments of the State, and enable persons of moderate means to become landholders, &c.

Being under consideration,

Mr. Hoxsey moved to amend the same by striking out all after the word 'act,' and insert the following—'incorporate landed associations.'

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Bramhall, Depew, Hoxsey, Robertson—4.

NAYS—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Roberts, Smith, Swain—9.

So said motion was not agreed to.

The title of said bill was then agreed to.

Said bill having been read a second time, considered by sections and agreed to, the preamble and title considered and agreed to, and

The ayes and nays being demanded and ordered upon the question of ordering said bill to have a third reading, were as follows—

AYES—Messrs. Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Franklin, Howell, Martin, Roberts, Somers, Smith, Swain—13.

NAYS—Messrs. Alexander, (Pres.) Depew, Hoxsey, Laird, Robertson—5.

So said bill was ordered to have a third reading.

Mr. Smith moved that the resolution which was agreed to this afternoon, 'that when the Senate adjourns, it adjourn to meet to-morrow morning, at half-past ten o'clock,

Be rescinded.

Which motion was agreed to, and the resolution rescinded accordingly.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred

The bill from the House of Assembly entitled,

A further supplement to the act entitled 'an act concerning Taxes,' approved April fourteenth, eighteen hundred and forty-six;

Also,

The bill from the House of Assembly entitled

An act to authorize the inhabitants of the several townships in the State to vote by ballot at their annual town meetings,

Reported the same with a recommendation that said bills be indefinitely postponed.

Which report was accepted, and said bills postponed accordingly.

Mr. Franklin, from the Committee on Engrossed Bills, reported that they had examined

The bill entitled,

An act to protect the people of the State against ignorant practitioners of Physic and Surgery,

And find the same to be correctly engrossed.

Mr. Laird moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was taken up and read a third time.

Upon the question,

Shall this engrossed bill pass?

It was decided in the negative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Chetwood, Laird, Martin, Swain—8.

NAYS—Messrs. Cowperthwaite Depew, Franklin, Howell, Hoxsey, Roberts, Robertson, Somers, Smith—9.

Mr. Bramhall offered the following resolution:

Resolved, That when the Senate adjourns, it adjourn to meet at half past nine o'clock to-morrow morning.

Which was read.

Mr. Swain moved to amend said resolution by striking out the words 'half past nine to-morrow morning,' and inserting the words 'eight o'clock this evening.'

Which amendment was accepted.

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, as amended, were as follows:

AYES—Messrs. Allen, A. V. Bonnell, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Somers, Smith, Swain—10.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Laird, Martin, Robertson—7.

So said resolution was agreed to.

On motion of Mr. I. Bonnell,

The Senate then adjourned.

At eight o'clock the Senate met.

Mr. Depew, from the Committee on Passed Bills, reported as follows—

"The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval

Senate bill No. 168, entitled,

Supplement to the act entitled 'an act relating to the Public Printing,

DANIEL D. DEPEW,
Chairman of said Com'e.

April 5, 1855.

Mr. Hoxsey moved that the Secretary be directed to return to the House of Assembly the

The bill from the House of Assembly entitled,

A further supplement to the act entitled 'an act to incorporate the city of Newark,

Which was inadvertently sent to the Senate.

Which motion was agreed to, and the Secretary instructed to return said bill.

Mr. Allen offered the following resolution :

Resolved, That when the Senate adjourns, it adjourn to meet to-morrow morning at half past nine o'clock.

Which being read, Mr. I. Bonnell moved to amend the same

by striking out the words 'half past,' which amendment was accepted, and the resolution as amended agreed to.

On motion of Mr. I. Bonnell,

The Senate then adjourned.

FRIDAY, April 6, 1855

At 9 o'clock the Senate met.

No clergyman being present, prayer was dispensed with.

The Secretary, under the direction of the President, proceeded to call the Senate, when the following Senators appeared and answered the call—

Present—Messrs. Alexander, (Pres.) A. V. Bonnell, I.Bonnell, Chetwood, Depew, Howell, Robertson, Somers, Smith, Swain—10.

There being no quorum present,

On motion of Mr. A. V. Bonnell, the Sergeant-at-arms was despatched for the absentees.

After a short absence the Sergeant-at-arms returned, and reported the presence of some of the absentees.

And a quorum appearing, the Senate proceeded to business.

The Journal of the previous day was read and approved.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, April 5, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly has passed

The bill from the Senate entitled,

An act to incorporate the Delaware and Hudson Telegraph Company,

Also,

The bill from the Senate entitled,

A further supplement to the act entitled 'an act against Usury,' approved April tenth, eighteen hundred and forty-six, and explanatory of the act entitled "a further supplement to the act entitled 'an act against Usury,'" approved March second, eighteen hundred and fifty-four.

Without amendment.

Also,

That the House of Assembly have passed

The bill entitled,

An act to incorporate the city of Hudson.

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The President laid before the Senate the following communication:

To the Hon. the President of the Senate of New Jersey:

The New Jersey State Teacher's Association, at their organization in eighteen hundred and fifty-three, offered a premium for an essay upon the necessity and means of improving the Common Schools of New Jersey. At its recent annual meeting an essay was reported from the committee of adjudication, and having been read, it was approved, and measures taken to publish the same. This has been done, and the essay is now laid upon the desks of Senators, with the respectful request that they will charge themselves with their distribution among their constituents, in the hope and expectation that the interests of education in our state may thereby be promoted.

With great respect,

In behalf of the State Teacher's Association,

C. C. HOAGLAND.

March, 1855.

Which was read and ordered to lie on the table.

The bill entitled,

An act to incorporate the Delaware and Hudson Telegraph Company;

Also,

The bill entitled,

A further supplement to the act entitled 'an act against Usury,' approved April tenth, eighteen hundred and forty-six, and explanatory of the act entitled 'a further supplement to the act entitled 'an act against Usury,' approved March second, eighteen hundred and fifty-four.

Having passed both Houses,

Were delivered by the Secretary to the Joint Committee on Passed Bills, to be presented to the Governor for his approbation, with the following endorsement on each:

'I certify that this bill originated in the Senate.'

A. R. THROCKMORTON,

Secretary of Senate.

The bill from the House of Assembly, entitled

An act to incorporate the city of Hudson,

Was taken up and read for the first time by its title ordered to have a second reading, and referred to the committee on Municipal Corporations.

The bill from the House of Assembly, entitled,

An act to authorize Michael M. Williams, his heirs or assigns, to erect a toll draw or swing bridge over the Elizabethtown creek,

Was taken up, read a second time, considered by sections and agreed to, and ordered to have a third reading.

Mr. Chetwood moved a suspension of so much of the twenty fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I Bonnell, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Robertson, Somers, Swain—12.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

Mr. Swain, from the Committee on Municipal Corporations, to which was referred

The bill from the House of Assembly entitled,

An act to incorporate the city of Hudson,

Reported the same,
Without amendment.

Mr. Chetwood offered the following resolution:

Resolved, That the Assistant Secretary of the Senate be allowed four dollars per day for the present session.

Which was read and agreed to.

Mr. I. Bonnell offered the following resolution:

Resolved, That the Assistant Sergeant-at-Arms, Andrew Jackson Cunningham, receive for his services two dollars per day during this present session.

Which was read and agreed to.

Mr. I. Bonnell offered the following resolution—

Resolved, That the Sergeant-at-Arms, William R. Thomas, and his assistants, Andrew Jackson Cunningham and James M. Sanno, are entitled to the thanks of this Senate for the faithful and courteous manner in which they have discharged their duties respectively during this present session.

Which was read and agreed to.

Mr. Roberts offered the following resolution:

Resolved, That James M. Sanno receive, as an additional compensation for his services, the sum of one dollar twenty-five cents per day during the present Legislature.

Which was read and agreed to.

Mr. Swain offered the following resolution:

Resolved, That the thanks of the Senate are due and are

tendered to the Hon. William C. Alexander, for the able, dignified, and impartial manner in which he has presided over the deliberations of the Senate during the present session of the Legislature.

Mr. Allen having been called to the chair, the resolution was read and unanimously agreed to.

The President arose, and thanked the Senate verbally in an appropriate speech.

Mr. I. Bonnell offered the following resolution:

Resolved, That the thanks of the Senate are hereby tendered to the Reverend Clergy who have officiated during the present session, and that the Secretary furnish each with a copy of this resolution.

Which was read and agreed to.

Mr. Somers moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put

The bill from the House of Assembly, entitled

An act to incorporate the city of Hudson,

Upon its second reading at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up, read a second time, considered by sections, agreed to, and

On motion of Mr. Bramhall, the further consideration of the same postponed for the present.

Mr. Robertson offered the following resolution:

Resolved, That William R. Thomas, Sergeant-at-Arms of the Senate, be paid one dollar per day for his services during this session of the Legislature, in addition to the sum now paid him by law.

Which was read, and

The ayes and nays being demanded and ordered upon the question of agreeing to the same, were as follows:

Ayes—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Bramhall, Franklin, Laird, Roberts, Robertson—8.

Nays—Messrs. I. Bonnell, Chetwood, Cowperthwaite, Depew, Howell, Hoxsey, Somers, Swain—8.

So said resolution was not agreed to.

Mr. Howell offered the following resolution:

Resolved, That the thanks of this Senate are due and are hereby tendered to Aaron R. Throckmorton, Secretary of the Senate, for the able, prompt and efficient manner in which he has performed the duties of his office during this session.

Which was read and agreed to.

Mr. Allen offered the following concurrent resolution:

Resolved, (Assembly concurring,) That the opponents of the bridges over the Passaic River have leave to withdraw all papers presented by them in opposition to said bridges, now on the files of the two Houses.

Which was read and agreed to, and the Secretary directed to inform the House of Assembly of the passage of the same, and request their concurrence.

Mr. Chetwood offered the following resolution:

Resolved, That the thanks of the Senate are due to Stacy B. Reed, the Assistant Secretary of the Senate, for the able and efficient manner in which he has discharged his duties as said Assistant Secretary.

Which was read and agreed to.

Mr. Laird, from the Committee on Corporations, to which was referred

The bill from the House of Assembly, entitled

A supplement to the act entitled 'an act to incorporate the

Belvidere Delaware Railroad Company,' passed the second of March, one thousand eight hundred and thirty-six,

Reported the same with a recommendation that the Senate disagree to the same.

Which report was accepted and agreed to.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

A message was received from the House of Assembly, by the hands of Mr. Vroom, their Clerk, and read as follows:

HOUSE OF ASSEMBLY, April 6, 1855.

Mr. President:—

I am directed by the House of Assembly to inform the Senate that the House of Assembly have passed

The bill entitled,

An act to defray incidental expenses.

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The bill from the House of Assembly entitled,

An act to defray incidental expenses,

Was read for the first time by its title, ordered to have a second reading, and referred to the Committee on Finance.

Mr. Hoxsey, from the Committee on Finance, to which was referred

The bill from the House of Assembly entitled

An act to defray incidental expenses,

Reported the same,
Without amendment.

Mr. Hoxsey moved a suspension of so much of the

twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its second reading at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was then taken up and read a second time, considered by sections and agreed to, and ordered to have a third reading.

The same Senator moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres), Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Hoxsey, Laird, Somers, Smith, Swain—14.

NAYS—None.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill, from the House of Assembly, without amendment.

Mr. Roberts offered the following resolution:

Resolved, That William R. Thomas, the Sergeant-at-arms of the Senate, receive the same compensation for his services

during the session as the Door Keeper of the House of Assembly.

Which was read, and

The ayes and nays being demanded and ordered upon the question of agreeing to said resolution, were as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, Chetwood, Franklin, Roberts, Robertson, Swain—8.

NAYS—Messrs. I. Bonnell, Cowperthwaite, Depew, Hoxsey, Somers—5.

So said resolution was agreed to.

Mr Depew, from the Senate Joint Committee on Passed Bills, presented the following report:

The Joint Committee on Passed Bills report that they have this day presented to the Governor for his approval,

Senate bill No. 171, entitled

A further supplement to the act entitled 'an act against Usury,' approved April tenth, eighteen hundred and forty-six, and explanatory of the act entitled "a further supplement to the act entitled 'an act against Usury,'" approved March second, eighteen hundred and fifty-four,

Also,

Senate bill No. 162, entitled

An act to incorporate the Delaware and Hudson Telegraph Company;

DANIEL D. DEPEW,
Chairman of said Com'e.

April 6, 1855.

The bill from the House of Assembly entitled,

An act to encourage the agricultural developments of the State, and enable persons of moderate means to become landholders, &c.

Was taken up, and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Allen, A. V. Bonnell, Bramhall, Cowperthwaite, Franklin, Howell, Laird, Roberts, Smith, Stults, Swain —11.

NAYS—Messrs. Alexander, (Pres.) Hoxsey, Robertson—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly, without amendment.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read, as follows:

HOUSE OF ASSEMBLY, April 6, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly have concurred in the following concurrent resolution from the Senate:

Resolved, (Assembly concurring,) That the opponents of the bridges over the Passaic River have leave to withdraw all papers presented by them in opposition to said bridges, now on files of the two Houses.

P. D. VROOM, Clerk.

The bill from the House of Assembly entitled

An act to incorporate the West Jersey and Philadelphia Pressed Brick Company,

Was taken up, and having been read a third time,

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative as follows:

AYES—Messrs. A. V. Bonnell, Franklin, Laird, Roberts, Robertson, Somers, Smith, Stults, Swain—9.

NAYS—Messrs. Alexander, (Pres.) Allen, Howell, Hoxsey—4.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

A sealed message, endorsed 'nominations,' was received from his Excellency the Governor by the hands of Mr. Shreve, his Private Secretary.

On motion of Mr. Allen, the Senate then went into Executive Session,

And after some time spent therein, the Senate again came to order.

Mr. Smith offered the following resolution:

Resolved, That the thanks of the Senate are due and are hereby tendered to the Reporters of the Public Press, for the accuracy of their reports of proceedings of this body during the present session.

Which was read and agreed to.

The bill from the House of Assembly, entitled

An act to renew and re-establish an act to incorporate the Mount Holly and Camden Railroad Company, approved February eleventh, eighteen hundred and forty-eight, and supplemental thereto,

Was taken up, and having been previously read a third time,

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative as follows:

AYES—Messrs. Allen, Chetwood, Cowperthwaite, Franklin, Howell, Hoxsey, Martin, Roberts, Smith, Stults—10.

NAYS—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Laird, Robertson, Somers—7.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

The bill from the House of Assembly entitled,

An act to incorporate the Farmers and Drovers Bank of Hudson County,

Was taken up upon its final passage, and having been read a third time,

Mr. Hoxsey moved that the further consideration of the same be postponed, in order to enable him to introduce a resolution.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows:

AYES—Messrs. Bramhall, Howell, Laird—3.

Nays—Messrs. Alexander (Pres.) A. V. Bonnell, I. Bonnell, Chetwood, Franklin, Roberts—6.

So said motion was not agreed to.

The consideration of said bill was then resumed.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the negative, as follows:

AYES—Messrs. A. V. Bonnell, I. Bonnell, Chetwood, Cowperthwaite, Franklin, Laird, Martin, Roberts, Somers, Smith, Stults—11.

NAYS—Messrs. Alexander, (Pres.) Allen, Bramhall, Depew, Howell, Hoxsey, Robertson—7.

Ordered, That the Secretary return said bill to the House of Assembly, and inform them that the Senate has disagreed thereto.

Mr. Hoxsey offered the following concurrent resolution—

Resolved, (House of Assembly concurring,) That a Joint Committee of both Houses be appointed to wait on the Governor, and inform him, unless he may have further communications to make to the two Houses of the Legislature, the two Houses are ready to close the present session by an adjournment *sine die*.

Which was read and agreed to, and

The President appointed Messrs. Hoxsey and Smith such Committee on the part of the Senate.

Ordered, That the Secretary inform the House of Assembly of the passage of said concurrent resolution and the appointment of said Committee, and request their concurrence therein, and the appointment of a similar Committee on the part of the House of Assembly.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, as follows—

HOUSE OF ASSEMBLY, April 6, 1855.

Mr. President:

I am directed to inform the Senate that the House of Assembly have passed

The joint resolution, entitled

Joint resolution to authorize the Treasurer to borrow money,

In which the concurrence of the Senate is requested.

P. D. VROOM, Clerk.

The joint resolution from the House of Assembly, entitled

Joint resolution to authorize the Treasurer to borrow money,

Was taken up, and read for the first time by its title, and ordered to have a second reading.

Mr. Howell moved a suspension of so much of the rule as requires every reading of a bill or joint resolution to be referred

to its appropriate committee, in order to dispense with the reference of said joint resolution.

Which motion was agreed to, and so much of said rule was suspended accordingly.

On motion of the same Senator, the reference of said joint resolution was then dispensed with.

The same Senator moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said joint resolution

Upon its second reading at this time.

Which motion was agreed to, and so much of said rule was suspended accordingly.

Said joint resolution was then taken up, read a second time, considered and agreed to, and ordered to have a third reading.

The same Senator moved a suspension of so much of the twenty fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said joint resolution

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said joint resolution was then taken up and read a third time.

Upon the question,

Shall this joint resolution from the House of Assembly pass?

It was decided in the affirmative as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I Bonnell, Depew, Franklin, Howell, Laird, Martin, Roberts, Robertson, Somers—12.

NAYS—None.

Ordered, That the President sign said joint resolution, the Secretary carry it to the House of Assembly, and inform

them that the Senate has passed said joint resolution from the House of Assembly without amendment.

The bill from the House of Assembly entitled,

An act to incorporate the city of Hudson,

Which was postponed after having been read a second time, and considered by sections,

Was taken up and agreed to, and ordered to have a third reading.

Mr. Roberts moved a suspension of so much of the twenty-fifth rule as prescribes that the three readings of a bill or joint resolution be on different days, in order to put said bill

Upon its final passage at this time.

Which motion was agreed to, and so much of said rule suspended accordingly.

Said bill was then taken up and read a third time.

Upon the question,

Shall this bill from the House of Assembly pass?

It was decided in the affirmative, as follows:

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Cowperthwaite, Depew, Franklin, Hoxsey, Roberts, Somers, Smith—11.

NAYS—Messrs. Bramhall, Howell, Stults—3.

Ordered, That the President sign said bill, the Secretary carry it to the House of Assembly, and inform them that the Senate has passed said bill from the House of Assembly without amendment.

The Secretary, under the direction of the President, proceeded to call the Senate, when the following Senators appeared and answered the call—

Present—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I.

Bonnell, Bramhall, Cowperthwaite, Depew, Franklin, Howell, Somers—10.

There being no quorum present,

On motion of Mr. A. V. Bonnell, the Sergeant-at-arms was despatched for the absentees.

A quorum appearing, the Senate resumed business.

A Message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows:

HOUSE OF ASSEMBLY,
April 6, 1855.

Mr. President:

I am directed by the House of Assembly to inform the Senate that the House of Assembly have concurred in the concurrent resolution from the Senate to appoint a Joint Committee of the two Houses of the Legislature to wait upon the Governor, and have appointed Messrs. Logan, Tompkins and Pennington such Committee on the part of the House of Assembly.

P. D. VROOM, Clerk.

A message was also received from His Excellency the Governor, by the hands of Mr. Shreve, his private Secretary, as follows:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, April 6th, 1855.

Hon. Wm. C. Alexander,
President of the Senate,

SIR—I have this day signed and approved the following bills which originated in your House:

A further supplement to the act entitled 'an act against Usury,' approved April tenth, eighteen hundred and forty-six, and explanatory of the act entitled 'a further supplement to the act

entitled 'an act against Usury,' approved March second, eighteen hundred and fifty-four.

Also,

An act to incorporate the Delaware and Hudson Telegraph Company;

Also,

Supplement to the act entitled 'an act relating to the Public Printing.

RODMAN M. PRICE.

Mr. Howell offered the following resolution:

Resolved, That the Secretary be directed to inform the House of Assembly that the Senate have completed the business before them, and are now ready to terminate the session by adjournment.

Which was read and agreed to, and the Secretary directed to inform the House of Assembly of the passage of the same.

Mr. Hoxsey, from the Joint Committee to wait upon the Governor, and inform him that unless he may have further communications to make to the two Houses of the Legislature, they are ready to close the present session by an adjournment *sine die*,

Reported that they had performed that duty, and

That the Governor informed them that he had no further communications to make.

A message was received from the House of Assembly by the hands of Mr. Vroom, their Clerk, and read as follows--

HOUSE OF ASSEMBLY April 6, 1855.

Mr. President:

I am directed by the House of Assembly to inform the Senate that the House of Assembly is ready to adjourn *sine die*.

P. D. VROOM, Clerk.

Mr. A. V. Bonnell offered the following resolution:

Resolved, That the Secretary be directed to inform the House of Assembly that the Senate is ready to adjourn, and now await the presence of the House of Assembly in the Senate Chamber.

Which was read and agreed to.

Ordered, That the Secretary inform the House of Assembly of the passage of said resolution.

Which duty having been performed by the Secretary,

The members of the House of Assembly, preceded by the Hon. Mr. Speaker Parry, entered the Senate Chamber, and announced to the President of the Senate that the House of Assembly had adjourned *sine die*.

Whereupon,

On motion of Mr. Allen,

The Senate adjourned *sine die*.

Attest, A. R. THROCKMORTON,
Secretary of the Senate.

JOURNAL

OF THE

EXECUTIVE SESSION.

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EXECUTIVE SESSION

OF

THE ELEVENTH SENATE OF NEW JERSEY.

IN EXECUTIVE SESSION,

JANUARY 18, 1855.

The following message in writing was received from His Excellency the Governor, by the hands of William I. Shreve, Esq., his Private Secretary:

STATE OF NEW-JERSEY,
Executive Department.

Trenton, January 18, 1855.

Hon. Wm. C. Alexander,
President of the Senate:

SIR—I hereby nominate for appointment, with the advice and consent of the Senate,

For Associate Justice of the Supreme Court,

ELIAS B. D. OGDEN,

Whose term of office expires Nov. 3, 1855, for another term.

Very respectfully,

RODMAN M. PRICE.

Which was read, and

On motion of Mr. Allen referred, with the accompanying nomination, to the Committee on the Judiciary.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred the said message of the Governor, with the accompanying nomination of this day,

Reported the same to the Senate, with the **recommendation that the Senate advise and consent to said appointment**, agreeably to the nomination.

The same Senator moved a suspension of the forty-first rule relative to Executive sessions, which requires that when nominations shall be made by the Governor to the Senate, a future day shall be assigned for their consideration, unless the Senate unanimously direct otherwise, in order to consider the nomination of this day.

Which motion was unanimously agreed to, and the rule suspended.

The nomination was then taken up, and having been read and considered,

Upon the question,

Will the Senate advise and consent to the appointment of

ELIAS B. D. OGDEN,

for Associate Justice of the Supreme Court for another term, agreeably to the nomination?

The yeas and nays being demanded, were as follows—

YEAS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Hoxsey, Laird, Martin, Rea, Roberts, Smith, Stults—17.

NAYS—None.

So said nomination was agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to said appointment, agreeably to the nomination.

On motion of Mr. Hoxsey,

The Executive Session then adjourned.

IN EXECUTIVE SESSION.

THURSDAY, Jan. 25, 1855.

On motion of Mr. Allen, the reading of the minutes of the last Executive session was dispensed with.

The following Message in writing was received from His Excellency the Governor, by the hands of William I. Shreve, Esq., his Private Secretary.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, Janu ary 25th, 1855.

Hon. Wm. C. Alexander,
President of the Senate,

SIR—I hereby nominate for appointment, with the advice and consent of the Senate,

For Judge of the Court of Errors and Appeals,

JOHN M. CORNELISON,

Of Hudson county, whose term of office expires February 22, 1855, for a new term.

RODMAN M. PRICE.

Which was read, and

On motion of Mr. Allen, referred to the Committee on the Judiciary.

On motion of the same Senator, the Executive Session then adjourned.

IN EXECUTIVE SESSION.

MONDAY, March 12, 1855.

On motion of Mr. Hoxsey, the reading of the minutes of the last Executive Session was dispensed with.

Mr. Hoxsey, Chairman of the Committee on the Judiciary, to which had been referred the message of his Excellency the Governor, of the 25th of January last past, with the accompanying nomination,

Reported the same, with the recommendation that the nomination be confirmed.

The nomination having been read and considered,

Upon the question,

Will the Senate advise and consent to the appointment of

JOHN M. CORNELISON,

for Judge of the Court of Errors and Appeals, agreeably to the nomination?

The yeas and nays being ordered, were as follows—

YEAS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Depew, Franklin, Howell, Hoxsey, Robertson, Somers, Stults, Swain—11.

NAYS—None.

So said nomination was unanimously agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to said appointment, agreeably to the nomination.

On motion of Mr. Hoxsey,

The Executive Session then adjourned.

IN EXECUTIVE SESSION,

WEDNESDAY, March 21st, 1855.

On motion of Mr. Allen, the reading of the minutes of the last Executive session was dispensed with.

The following message in writing was received from His Excellency the Governor, by the hands of William I. Shreve, Esq., his Private Secretary:

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
Trenton, March 21, 1855.

Hon. Wm. C. Alexander,

President of the Senate,

SIR—I hereby nominate for appointment, with the advice and consent of the Senate, for Commissioners of Deeds in the following named States and places—

State of South Carolina,

Samuel J. Hull. of Charleston.

State of New York,

Henry O. Fowler, of Port Jervis,
Moses B. Maclay, of New York City,
John C. Bergh, " " "

State of Michigan,

Seras Stevens, of Detroit,
Joseph R. Bowman, of Pontiac.

State of California,

Ferdinand S. Mumford, of Sacramento.

State of Connecticut,

Edwin Goodwin, of Hartford.

State of Indiana,

Salmon A. Buell, of Indianapolis.

State of Maine,

James O. Donnell, of Portland.

State of Ohio,

James Birney, of Cincinnati.

State of Wisconsin,

John C. Starkweather, of Milwaukie,
John W. Hunt, "

Kansas Merritory,

John A. Halderman.

District of Columbia,

Francis H. Davidge, of Washington.

State of Mississippi,

William H. Brown.

Trustees under the act to establish a State Normal School, approved February 9, 1855—

1st Congressional District,
James C. Hampton,
Joseph H. Thompson.

2d Congressional District,
Richard S. Field,
David Cole.

3d Congressional District,
Franklin S. Kinney,
Christopher C. Hoagland.

4th Congressional District,
Thomas Lawrence,
Lyman A. Chandler.

5th Congressional District,
William M. Babbit,
Dudley S. Gregory.

For Prosecutor of the Pleas of the County of Atlantic,
George S. Woodhull.

For Prosecutor of the Pleas of the County of Burlington,
Garrit S. Cannon.

For Prosecutor of the Pleas of the County of Hudson,
Peter Bentley.

For Prosecutor of the Pleas of the County of Warren,
Joseph Vliet.

Commissioners under the Joint Resolution for the appointment of Commissioners to revise the School Laws of this State, to extend and codify the same—

1st Congressional District,
Thomas P. Carpenter.

2d Congressional District,
John W. Fennimore.

3d Congressional District,
Peter I. Clark.

4th Congressional District,
Thomas W. Demarest.

5th Congressional District,
Jeremiah C. Garthwait.

RODMAN M. PRICE.

Which was read, and

On motion of Mr. Allen, referred, with the accompanying nominations, to the Committee on the Judiciary.

On motion of the same Senator, the Executive Session then adjourned.

IN EXECUTIVE SESSION,

FRIDAY, March 23, 1855.

On motion of Mr. Allen, the reading of the minutes of the last Executive Session was dispensed with.

The following Message in writing was received from His Excellency the Governor, by the hands of William I. Shreve, his Private Secretary.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
Trenton, March 22, 1855.

HON. WILLIAM C. ALEXANDER,
President of the Senate:

SIR—I hereby nominate for appointment, with the advice and consent of the Senate,

For Associate Justices of the Supreme Court,
Under the act to re-organize the Courts of Law, approved February 9, 1855,

MARTIN RYERSON, of the County of Mercer,
PETER VREDENBURGH, of the County of Monmouth.

RODMAN M. PRICE.

Which was read, and

On motion of Mr. Hoxsey, referred to the Committee on the Judiciary.

Mr. Hoxsey, from the Committee on the Judiciary, to which was referred the message of the Governor, with the accompanying nominations of the 21st instant,

Reported the same, with the recommendation that the nominations be confirmed.

The same Senator, from the same Committee, to which was referred the message of his Excellency the Governor, with the accompanying nominations of this day,

Reported the same, with the recommendation that the nominations be unanimously confirmed.

Mr. Hoxsey moved a suspension of the forty-first rule relative to Executive Sessions, which requires that when nominations shall be made by the Governor to the Senate, a future day shall be assigned for their consideration, unless the Senate unanimously direct otherwise, in order to consider the nominations of this day.

Which motion was unanimously agreed to, and the rule suspended.

The same Senator moved that the message and accompanying nominations of this day be taken up first.

Which motion was agreed to.

Mr. Allen offered the following resolution—

Resolved, That the nominations of this day be acted upon in gross.

Which being read,

Mr. A. V. Bonnell moved to amend the same by striking out all after the word 'that,' and inserting in the place thereof the words—'the Senate proceed to act upon the nomination of Peter Vredenburgh first.'

Mr. Hoxsey moved to lay said resolution on the table.

The ayes and nays being demanded and ordered upon the question of agreeing to said motion, were as follows—

Ayes—Messrs. Alexander, (Pres.) I. Bonnell, Bramhall, Depew, Hoxsey, Rea, Robertson, Somers—8.

Nays—Messrs. Allen, A. V. Bonnell, Chetwood, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—11.

So said motion was not agreed to.

Mr. Hoxsey moved to amend said amendment by striking out the words 'Peter Vredenburgh,' and inserting the words 'Martin Ryerson,' in the place thereof.

Which motion was not agreed to.

The ayes and nays being demanded and ordered upon the question of agreeing to the amendment to said resolution, were as follows:

Ayes—Messrs. Allen, A. V. Bonnell, I. Bonnell, Bramhall,

Chetwood, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—17.

NAYS—Mr. Alexander, (Pres.)—1.

So said amendment was agreed to.

The resolution as amended was then agreed to.

The nominations having been read and considered,

Upon the question,

Will the Senate advise and consent to the nomination of

PETER VREDENBURGH,

For Associate Justice of the Supreme Court,
Under the act to re-organize the Courts of Law, approved February 9, 1855?

The yeas and nays being ordered, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

So said nomination was agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to said appointment, agreeably to the nomination.

Upon the question,

Will the Senate advise and consent to the appointment of

MARTIN RYERSON,

For Associate Justice of the Supreme Court,
Under the act to re-organize the Courts of Law, approved February 9, 1855?

The ayes and nays being ordered, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain —18.

NAYS—Mr. A. V. Bonnell—1.

So said nomination was agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to said appointment, agreeably to the nomination.

The Message of the Governor of the 21st instant, and the accompanying nominations, were then taken up.

Mr. Hoxsey moved that the nominations for Commissioners be acted on in gross.

Which motion was agreed to.

Said nominations were then read.

Upon the question,

Will the Senate advise and consent to the appointment of

Samuel J. Hull, of Charleston,
in the State of South Carolina;

Henry O. Fowler, of Port Jervis,
Moses B. Maclay, of New York City,
John C. Bergh, " " "
in the State of New York,

Seras Stevens, of Detroit,
Joseph R. Bowman, of Pontiac,
in the State of Michigan,

Ferdinand S. Mumford, of Sacramento,
in the State of California,

Edwin Goodwin, of Hartford,
in the State of Connecticut,

Salmon A. Buell, of Indianapolis,
in the State of Indiana,

James O. Donnell, of Portland,
in the State of Maine,

James Birney, of Cincinnati,
in the State of Ohio,

John C. Starkweather, of Milwaukie,
John W. Hunt, "
in the State of Wisconsin,

John A. Halderman,
in the Territory of Kansas,

Francis H. Davidge, of Washington,
in the District of Columbia,

William H. Brown,
in the State of Mississippi.

As Commissioners of Deeds for the said several places and States, agreeably to the said several nominations?

The yeas and nays being ordered were as follows—

YEAS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

So said nominations were agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to the said several appointments, agreeably to the nominations.

Upon the question,

Will the Senate advise and consent to the appointment of

James C. Hampton,
Joseph H. Thompson,

For Trustees under the act to establish a State Normal School, approved February 9, 1855, for the first Congressioaal District?

The yeas and nays being ordered, were as follows—

AYES—Messrs. Alexander, (Pres), Allen, A. V. Bonnell, I.

Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

So said nominations were agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to the said appointments, agreeably to the nominations.

Upon the question,

Will the Senate advise and consent to the appointment of

Richard S. Field,
David Cole,

for Trustees under the act to establish a State Normal School, approved February 9, 1855, for the Second Congressional District?

The ayes and nays being demanded, were as follows—

YEAS—Messrs. Alexander, (Pres) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

So said nominations were agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to said appointments, agreeably to the nominations.

Mr. Allen moved that the nominations for the third Congressional District be taken up and acted upon separately.

Which motion was agreed to.

Upon the question,

Will the Senate advise and consent to the appointment of

Franklin S. Kinney,

For Trustee under the act to establish a state Normal school, approved February 9, 1855, for the third Congressional District?

The yeas and nays being demanded were as follows—

YEYS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

So said nomination was agreed to.

Ordered that the Secretary inform the Governor that the Senate do advise and consent to the said appointment, agreeably to the said nomination.

Upon the question,

Will the Senate advise and consent to the appointment of

Christopher C. Hoagland.

For Trustee under the act to establish a state Normal school, approved February 9, 1855, for the third Congressional District?

The ayes and nays being demanded, were as follows—

AYES—Messrs. Hoxsey, Somers—2.

NAYS—Messrs. Alexander, (Pres.) Allen, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Laird, Martin, Roberts, Smith, Stults, Swain—14.

So said nomination was not agreed to.

Ordered, That the Secretary inform the Governor that the Senate do not advise and consent to said appointment.

Upon the question.

Will the Senate advise and consent to the appointment of

Thomas Lawrence,
Lyman A. Chandler,

for Trustees under the act to establish a State Normal School, approved February 9, 1855, for the Fourth Congressional District?

The ayes and nays being demanded, were as follows—

Ayes—Messrs. Alexander, (Pres) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

Nays—None.

So said nominations were agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to said appointments, agreeably to the nominations.

Upon the question,

Will the Senate advise and consent to the appointment of

William M. Babbit,
Dudley S. Gregory,

for Trustees under the act to establish a State Normal School, approved February 9, 1855, for the Fifth Congressional District?

The ayes and nays being demanded, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

So said nominations were agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to the said appointments, agreeably to the nominations.

Upon the question,

Will the Senate consent and advise to the appointment of

George S. Woodhull,

for Prosecutor of the Pleas of the County of Atlantic, agreeably to the nomination?

The yeas and nays being demanded and ordered, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

So said nomination was agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to the said appointment, agreeably to the nomination.

Upon the question,

Will the Senate advise and consent to the appointment of

Garret S. Cannon,

for Prosecutor of the Pleas for the County of Burlington, agreeably to the nomination?

The yeas and nays being demanded and ordered, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

Ordered, That the Secretary inform the Governor that the Senate advise and consent to the said appointment, agreeably to the nomination.

Upon the question,

Will the Senate advise and consent to the appointment of

Peter Bentley,

for Prosecutor of the Pleas for the County of Hudson, agreeably to the nomination?

The yeas and nays being demanded and ordered, were as follows—

YEAS—Messrs. Alexander, (Pres.) Allen, Chetwood, Hoxsey, Martin, Rea—6.

NAYS—Messrs. A. V. Bonnell, I. Bonnell, Bramhall, Depew, Franklin, Howell, Laird, Roberts, Robertson, Somers, Smith, Stults, Swain—13.

So said nomination was not agreed to.

Ordered, That the Secretary inform the Governor that the Senate do not advise and consent to said appointment.

Upon the question,

Will the Senate advise and consent to the appointment of

Joseph Vliet,

for Prosecutor of the Pleas of the County of Warren, agreeably to the nomination?

The ayes and nays being demanded, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

So said nomination was agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to said appointment, agreeably to the nomination.

Mr. Howell moved that the nominations of Commissioners, under the joint resolution for the appointment of Commissioner to revise the School Laws of the State, to extend and codify the same, be acted upon in gross.

Which motion was agreed to.

Said nominations were then read.

Upon the question,

Will the Senate advise and consent to appointment of Commissioners, under the joint resolution for the appointment of Commissioners to revise the School Laws of this State, to extend and codify the same?—for the

1st Congressional District,
Thomas P. Carpenter.

2d Congressional District,
John W. Fennimore.

3d Congressional District,
Peter I. Clark.

4th Congressional District,
Thomas W. Demarest.

5th Congressional District,
Jeremiah C. Garthwait.

Agreeably to the said nominations?

The ayes and nays being demanded, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Rea, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

So said nominations were agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to the said several appointments, agreeably to the nominations.

On motion of Mr. Allen,

The Executive Session then adjourned.

IN EXECUTIVE SESSION,

FRIDAY, April 6, 1855.

The minutes of the last Executive session were read and approved.

The following Message in writing was received from His Excellency the Governor, by the hands of William I. Shreve, Esq., his Private Secretary.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,

Trenton, April 4th, 1855.

Hon. Wm. C. Alexander,
President of the Senate,

SIR—I hereby nominate for appointment, with the advice and consent of the Senate,

For Prosecutor of the Pleas of the County of Hudson,

J. Dunn Little.

Trustee under the act to establish a State Normal School, approved February 9, 1855—

3d Congressional District,
Charles Sitgreaves.

For Commissioner under the joint resolution for the appointment of commissioners to revise the school laws of the state, to extend and codify the same,

4th Congressional District,
John Van Brunt, *vice* Thomas W. Demarest, resigned.

For Commissioner of Deeds in the state of California,
Richard C. Stanley, of Sacramento city.

RODMAN M. PRICE.

Which was read.

Mr. Hoxsey moved that the reference of said message and nominations be dispensed with.

Which motion was agreed to.

Mr. Hoxsey moved a suspension of the forty-first rule relative to Executive Sessions, which requires that when nominations shall be made by the Governor to the Senate, a future day shall be assigned for their consideration, unless the Senate unanimously direct otherwise, in order to consider the nominations of this day.

Which motion was unanimously agreed to, and the rule suspended.

The nominations were then taken up and read.

Upon the question,

Will the Senate advise and consent to the appointment of

J. Dunn Little,
For Prosecutor of the Pleas of the County of Hudson, agreeably to the nomination?

The yeas and nays being demanded and ordered, were as follows—

Ayes—Messrs. Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, How-

ell, Hoxsey, Laird, Roberts, Robertson, Somers, Smith, Swain —16.

NAYS—None.

So said nomination was agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to the said appointment, agreeably to the nomination.

Upon the question,

Will the Senate advise and consent to the appointment of

Charles Sitgreaves,

For Trustee under the act to establish a state Normal school, approved February 9, 1855, for the third Congressional District?

The yeas and nays being demanded and ordered, were as follows—

AYES—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Roberts, Robertson, Somers, Smith, Swain—17.

NAYS—None.

So said nomination was agreed to.

Ordered that the Secretary inform the Governor that the Senate do advise and consent to the said appointment, agreeably to the said nomination.

Upon the question,

Will the Senate advise and consent to the appointment of John Van Brunt, *vice* Thomas W. Demarest resigned,

4th Congressional District,

For Commissioner under the Joint Resolution for the appointment of Commissioners to revise the School Laws of this State, to extend and codify the same?

The ayes and nays being demanded, were as follows—

AYES—Alexander, (Pres.) A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Roberts, Robertson, Somers Smith, Swain—16.

NAYS—Messrs. Allen, Stults—2.

So said nomination was agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to said appointment, agreeably to the nomination.

Upon the question,

Will the Senate consent and advise to the appointment of

Richard C. Stanley,

For Commissioner of Deeds at Sacramento City, in the state of California, agreeably to the nomination?

The yeas and nays being ordered were as follows—

YEAS—Messrs. Alexander, (Pres.) Allen, A. V. Bonnell, I. Bonnell, Bramhall, Chetwood, Cowperthwaite, Depew, Franklin, Howell, Hoxsey, Laird, Martin, Roberts, Robertson, Somers, Smith, Stults, Swain—19.

NAYS—None.

So said nomination was agreed to.

Ordered, That the Secretary inform the Governor that the Senate do advise and consent to said appointment, agreeably to the nomination.

Mr. Allen offered the following resolution:

Resolved, That the injunction of secresy be removed from all the proceedings of the Senate in Executive session, during the present session of the Legislature.

Which was read and agreed to.

Mr. Hoxsey offered the following resolution:

Resolved, That the Secretary of the Senate be directed to prepare a copy of the Journal of the Senate in Executive ses-

sion, and that it be printed with the Journal of the Senate, by the printer appointed to print the same.

Which was read and agreed to.

On motion of Mr. Hoxsey,

The Executive Session then adjourned.

Attest, A. R. THROCKMORTON,
Secretary.

MINUTES

OF THE

JOINT MEETING.

JOINT MEETING.

MINUTES OF THE PROCEEDINGS

OF

THE JOINT MEETING

OF

THE SENATE AND GENERAL ASSEMBLY

OF

THE STATE OF NEW JERSEY

FOR

THE SESSION

OF

1855.

IN JOINT MEETING,

MARCH 30, 1855.

The Senate and General Assembly met in the Assembly Room, and proceeded to the choice of a Chairman.

Whereupon, the Hon. WILLIAM C. ALEXANDER, President of the Senate, was unanimously elected Chairman of the Joint Meeting, and accordingly took the Chair; and

PETER D. VROOM, Clerk of the Assembly, was unanimously chosen Secretary; and

AARON R. THROCKMORTON, Secretary of the Senate, was unanimously chosen Assistant Secretary.

Mr. Allen moved that the Rules of the last Joint Meeting be the Rules for the government of the present Joint Meeting, until otherwise ordered.

Which motion was agreed to, and said rules were read and adopted, as follows:

1. That the election of State Officers during the present session be *viva voce*, unless when otherwise ordered.

2. That the Chairman attend carefully to the preservation of order and regularity in transacting the business of the Joint Meeting, and that he shall not engage in any debate, or propose his opinion on any question, without leave of the Joint Meeting.

3. That every member, when he speaks, shall stand up in his place, and address himself to the Chair.

4. That in all debates and proceedings, the members observe the strictest decorum; and that if any one use indecent expressions, or utter any personal reflections, or otherwise offend herein, he be censured according to the nature and aggravation of the offence.

5. That no debate ensue, or question be put, on a motion, unless it be seconded, when it shall be open to debate, and the same receive a determination by the question, unless it be laid aside by the Joint Meeting, or a motion be made to amend it, to postpone it, or for the previous question.

6. The previous question shall be in this form: 'Shall the main question be now put?' and unless decided, shall preclude all amendments and further debate on the main question.

7. If any motion contain more than one simple question, any member may have it divided into as many parts as there are distinct questions, if seconded in his motion.

8. That no member speak more than twice on the same subject in the same debate, without leave of the Joint Meeting.

9. That all questions of order be determined by the Chairman, subject to an appeal to the Joint Meeting, when demanded by four members.

10. That when two or more members rise to speak nearly at the same time, the Chairman shall decide who shall speak first.

11. When any question is stated, and by the Joint Meeting agreed to be put, no member shall be at liberty to withhold his vote without leave of the Joint Meeting.

12. The names of the members voting, and for whom the have voted, shall be entered on the minutes, if moved for and seconded; and the ayes and nays shall be entered upon the Journal on every question taken in the Joint Meeting, other than questions of appointment, when moved for and seconded by five members, except the vote be unanimous.

13. That the Joint Meeting may adjourn, when the list of nominations is not yet gone through with.

14. The appointments or re-appointments may be made without resignations, or the commissions of persons in office shall expire the same sitting, or within two months thereafter: *Provided*, That when a new appointment is made, the person so appointed shall not be considered as in commission until the expiration of the commission of the former person whose place it is to supply.

15. That in all questions, the Chairman of the Joint Meeting be called upon to vote in his turn, as one of the representatives in the Senate or Assembly, but that he have no casting vote as Chairman.

Mr. Allen moved the following as an additional rule for the government of this Joint Meeting—

'That all candidates for offices, upon receiving a majority of the votes cast by this Joint Meeting, shall be declared duly elected.'

Which motion was agreed to, and said rule adopted accordingly.

Mr. Roberts moved the following—

Resolved, That this Joint Meeting will vote for the officers on nomination by voice, except for the Treasurer and Keeper of the State Prison—which officers shall be voted for by ballot after the election of the other officers.

Mr. Allen moved to amend the resolution by striking out the words 'by ballot.'

Upon the question of agreeing to said motion, the ayes and nays were demanded, and the call sustained and ordered, and were as follows—

AYES—Messrs. Alexander, (Pres.) Albertson, Allen, Beatty' Board, Bolles, I. Bonnell, Brown, Chetwood, Cowperthwaite' Decker, T. W. Demarest, R. S. Demarest, Depew, Diverty' Elmer, Franklin, Gaunt, Gregory, Harris, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Laird, Morrell, Norcross, Osbourn, Parry, (Sp.) Perry, Schenck, N. F. Smith, Steele, Stout, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren, Voorhees, White, Winans, Young—49.

NAYS—Messrs. Barrett, A. V. Bonnell, Bramhall, Cake' Conklin, Gould, Hines, Holmes, Johnston. Lafetra, Lewis' Logan, Martin, Pennington, Pittenger, Pitney, Rea, Roberts, Robertson, Schoonmaker, C. P. Smith, Somers, Sooy, Stratton, Tomlin, Wells—26.

So the motion to strike out was agreed to.

Mr. Hoxsey moved to amend the resolution by striking out all after 'resolved,' and inserting—'That this Joint Meeting, in voting for Treasurer and Keeper of the State Prison, will vote by ballot.'

Upon the question of agreeing to said motion, the ayes and nays were demanded, and the call sustained and ordered, and were as follows—

AYES—Messrs. Barrett, Beatty, A. V. Bonnell, I. Bonnell, Bramhall, Cake, Conklin, Decker, Gaunt, Gould, Hines, Holmes, Hoxsey, Lafetra, Logan, Martin, Pennington, Pitney, Rea, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stratton, Wells, White, Winans—28.

NAYS—Alexander, (Pres.) Albertson, Allen, Board, Bolles, Brown, Chetwood, Cowperthwaite, T. W. Demarest, R. S. Demarest, Depew, Diverty, Elmer, Franklin, Gregory, Harris, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Johnston, Keen, Lewis, Morrell, Norcross, Osbourn, Parry, (Sp.) Perry, Schenck, N. F. Smith, C. P. Smith, Steele, Stout, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren, Voorhees, Young—45.

So the motion to strike out and insert was not agreed to.

Mr. Cake moved to amend by striking out all after 'resolved,' and inserting—'That the election of Treasurer and Keeper of the State Prison, and all other officers, be postponed until Wednesday next.

Mr. Board moved to lay the resolution on the table.

Upon the question of laying on the table, the ayes and nays were demanded, and the call sustained and ordered, and were as follows—

AYES—Messrs. Allen, Board, A. V. Bonnell, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Harris, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hoxsey, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Norcross, Parry, (Sp.) Perry, Schenck, N. F. Smith, C. P. Smith, Steele, Stout, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren—39.

NAYS—Messrs. Alexander, (Pres.) Albertson, Barrett, Beatty, Bolles, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest. Depew, Gaunt, Gould, Holmes, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pettinger, Pitney, Rea, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stinson, Stratton, Voorhees, Wells, White, Winans, Young—37.

So the motion to lay on the table was agreed to.

Mr. Lafetra moved that this Joint Meeting do now adjourn, to meet at 3 o'clock.

Mr. T. W. Demarest moved to amend by striking out 'at 3

o'clock,' and inserting—'to meet on Thursday next, at 11 o'clock A.M.'

Which was not agreed to.

The question was then taken upon the motion to adjourn to meet at 3 o'clock—and thereupon the ayes and nays were demanded, and the call was sustained and ordered, and were as follows—

AYES—Messrs. Alexander, (Pres.) Barrett, Beatty, Bolles, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Hines, Holmes, Hoxsey, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pettinger, Pitney, Rea, Roberts, Robertson, Schoonmaker, Somers, Stinson, Stratton, Tomlin, Voorhees, Wells, White, Winans, Young—39.

NAYS—Messrs. Albertson, Allen, Board, A. V. Bonnell, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Norcross, Parry, (Sp.) Perry, Schenck, N. F. Smith, C. P. Smith, Sooy, Steele, Stout, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren—38.

So the motion to adjourn having been agreed to,

The Joint Meeting adjourned.

At 3 o'clock, pursuant to adjournment, the Senate and General Assembly in Joint Meeting convened, were called to order by the Hon. Wm. C. Alexander, Chairman.

The Chairman asked to be excused, on account of indisposition, from presiding over the Joint Meeting, and requested that the Speaker of the House might occupy the chair in his stead.

Objections were raised to relieving the chairman from his duties, and a vote of the joint meeting was called and ordered upon the question of allowing him to vacate the chair, and resulted as follows—

Ayes—Messrs. A. V. Bonnell, Bramhall, T. W. Demarest, Depew, Harris, Hoxsey, Laird, Lewis, Stratton, Tomlin, Wells, White—12.

Nays—Messrs. Allen, Barrett, Beatty, Board, Bolles, I. Bonnell, Brown, Cake, Chetwood, Cowperthwaite, R. S. Demarest, Elmer, Franklin, Gaunt, Gregory, Hines, Hoagland Holmes, Hopping, E. Howell, M. Howell, Hutchinson, Jay, Johnston, Keen, Morrell, Norcross, Pennington, Pittenger, Rea, Roberts, Robertson, Schenck, Schoonmaker, N. J. Smith, Sooy, Stout, Swain, Tompkins, Vandeventer, Vandoren, Winans, Young—44.

So the chairman was not excused.

Mr. Roberts asked leave to withdraw the resolution which had been offered by him, and pending the consideration of which the joint meeting had adjourned.

And permission was granted.

Mr. Roberts offered the following resolution:

Resolved, That when the joint meeting rises, it rise to meet in this room at 11 o'clock A. M. on Thursday next, and that

the election of State Treasurer and Prison Keeper be postponed until that day.

Which was read.

Upon the question of agreeing to the resolution, the ayes and nays were demanded, and the call sustained and ordered, and were as follows—

AYES—Messrs. Alexander, (Pres.) Barrett, Beatty, Bolles, Board, A. V. Bonnell, I. Bonnell, Bramhall, Cake, Chetwood, Concklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Franklin, Guant, Gould, Gregory, Harris, Hines, Holmes, Hopping, Hoxsey, Hunt, Hutchinson, Johnston, Lafetra, Laird, Lewis, Logan, Martin, Morrell, Osbourn, Pennington, Pittenger, Pitney, Rea, Roberts, Robertson, Schoonmaker, C.P.Smith, Somers, Sooy, Stinson, Stratton, Tomlin, Wells, Voorhees, White, Winans, Young—52.

NAYS—Messrs, Albertson, Allen, Brown, Cowperthwaite, Diverty, Elmer, Hoagland, E. Howell, M. A. Howell, L. Howell, Jay, Keen, Norcross, Parry, (Sp.) Schenck, N. J. Smith, Stout, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren—24.

So the resolution was agreed to.

Mr. Hoxsey offered the following resolution—

Whereas, By the act entitled 'An act for the re-organization of the Courts of Law,' the Judges of the Supreme Court are made *ex officio* Judges of the Court of Common Pleas, thereby making the full number of judges authorized by the Constitution of this State, sec. 6, art. 1, providing that 'there shall be no more than five judges of the Inferior Court of Common Pleas appointed in each of the counties of this State; therefore,

Resolved, That it is inexpedient and unnecessary to appoint judges of the Court of Common Pleas at the present Joint Meeting.

Which was read.

Upon the question of agreeing to the resolution,

Mr. L. A. Howell moved that the resolution be ordered to lie on the table.

Upon the question on laying upon the table, the ayes and nays were demanded, and the call was sustained and ordered, and were as follows—

AYES—Messrs. Albertson, Allen, Barrett, Board, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Keen, Martin, Morrell, Norcross, Parry, (Sp.) Schenck, N. F. Smith, C. P. Smith, Stelle, Stults, Swain, Thompson, Tomlin, Tompkins, Vandeventer, Vandoren—34.

NAYS—Messrs. Alexander, (Pres.) Beatty, Bolles, I. Bonnell, Bramhall, Cake, Conklin, Decker, R. S. Demarest, Depew, Gaunt, Gould, Harris, Hines, Holmes, Hoxsey, Jay, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Perry, Pettingert, Pitney, Rea, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stinson, Stout, Stratton, Voorhees, Wells, White, Winans, Young—40.

So the motion was not agreed to.

The question was then taken upon agreeing to the resolution of Mr. Hoxsey—and thereupon the ayes and nays were demanded, and the call was sustained and ordered, and were as follows—

AYES—Messrs. Alexander, (Pres.) Beatty, Bolles, I. Bonnell, Bramhall. Cake. Conklin, Decker. T. W. Demarest, R.S. Demarest, Depew, Gaunt, Gould, Harris, Hoxsey, Jay, Johnston, Lafetra, Laird, Logan, Morrell, Osbourn, Pennington, Pettinger, Pitney, Rea, Robertson, Schoonmaker, Somers, Sooy, Stout, Stratton, Voorhees, Wells, White, Winans, Young—37.

NAYS—Messrs. Albertson, Allen, Barrett, Board, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Holmes, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Keen, Lewis. Martin, Norcross, Parry, (Sp.) Perry, Roberts, Schenck, N. F. Smith, C. P. Smith, Stelle, Stinson, Stults, Swain, Thompson, Tomlin, Tompkins, Vandeventer, Vandoren—39.

So the resolution was not agreed to.

Resignations having been called for, Mr. C. P. Smith presented the following—

To the Hon. the Senate and General Assembly of the State of New Jersey:

The undersigned tenders this as his resignation as Commissioner, to take the acknowledgment and proof of Deeds, for the county of Salem, in the said State.

Very respectfully,
JOSEPH K. RILEY.

WOODSTOWN, Feb. 21, 1855.

Which was read and on motion, it was resolved that the same be accepted.

Mr. Pennington presented the following—

To the Hon. the Senate and General Assembly of the State of New Jersey:

I hereby resign my commission as Police Justice of the West Ward of the city of Newark.

Respectfully,
JOHN MEDCRAFT.

NEWARK, N. J., March 27, 1855.

Which was read and on motion, it was resolved that the same be hereby accepted.

The list of nominatians was then taken up, and the Joint Meeting proceeded to make appointments as follows—

Inspectors of the State Prison.

The names of Roswell Howe, Richard Brandt, Joseph A. Pittenger, Emley Olden, Isaac Henlings, Joseph Cunningham, William W. Pollard, A. D. Chaloner, William Hutchinson, Oliver H. Perry, Charles H. Conover, Samuel Kay and Samuel H. Morton being on nomination for Inspectors of the State Prison,

Mr. Allen moved that

Roswell Howe, Joseph Pettinger, Emley Olden, Isaac Henlings and Richard Brandt be appointed.

Mr. I. Bonnell moved that the appointment of Inspectors of the State Prison be postponed to Thursday next.

Upon the question of postponement, the ayes and nays were demanded, and the call sustained and ordered, and were as follows—

AYES—Messrs. Alexander, (Pres.) Beatty, Bolles, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest. Depew, Gaunt, Gould, Harris, Hoxsey, Jay, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pitney, Rea, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stout, Stratton, Voorhees, Wells, White, Winans, Young—36.

NAYS—Messrs. Albertson, Allen, Barrett, Board, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Holmes, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Keen, Lewis, Martin, Morrell, Norcross, Parry, (Sp.) Perry, Pettinger, Schenck, N. F. Smith, C. P. Smith, Stelle, Stinson, Stults, Swain, Thompson, Tomlin, Tompkins, Vandeventer, Vandoren—40.

So the resolution to postpone was not agreed to.

The question was then put upon the motion to appoint, and the ayes and nays were demanded, and the call was sustained and ordered, and were as follows—

AYES—Messrs. Albertson, Allen, Barrett, Board, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Holmes, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Norcross, Parry, (Sp.) Perry, Pettinger, Roberts, Schenck, N. F. Smith, C. P. Smith, Stelle, Stinson, Stout, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren, Wells—43.

NAYS—Messrs. Alexander, (Pres.) Beatty, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Hoxsey, Johnston. Lafetra, Laird, Logan, Osbourn, Pennington, Pitney, Rea, Robertson, Schoonmaker, Somers, Sooy, Stratton, Voorhees, White, Winans, Young—31.

Whereupon, Roswell, Howe Joseph Pittenger, Emley Olden, and Richard Brandt,

Were ordered to be duly elected Inspectors of the State Prison for the ensuing year.

For State Director of the Camden and Amboy Rail Road Company,

The name of James B. Burnet being on nomination for the office of State Director of the Camden and Amboy Rail Road Company,

Mr. Allen moved that James B. Burnet be appointed,

Upon which question the ayes and nays were demanded, and the call was sustained and ordered, and were as follows:

AYES—Messrs. Albertson, Allen, Barrett, Board, Brown, Bolles, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Horrell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Norcross, Parry, (Sp.) Perry, Pettinger, Roberts, Schenck, N. F. Smith, C. P. Smith, Stelle, Stinson, Stout, Stults, Swain, Thompson, Tomlin, Tompkins, Vandeventer, Vandoren—43.

NAYS—Messrs. Alexander, (Pres.) Beatty, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Holmes, Hoxsey, Johnston, Lafetra, Laird, Logan, Osbourn, Pitney, Rea, Robertson, Schoonmaker, Somers, Sooy, Stratton, Voorhees, Wells, White, Winans, Young—32.

Whereupon,

James B. Burnet was declared to be duly elected State Director for the Camden and Amboy Rail Road Company for the ensuing year.

For State Director of the Delaware and Raritan Canal Company,

The name of Lorenzo F. Fisler, being on nomination for the appointment of State Directors of the Delaware and Raritan Canal Company.

Mr. Allen moved that Lorenzo F. Fisler be appointed,

Which motion was agreed to, and Lorenzo F. Fisler was

declared to be duly appointed State Directors of the Delaware and Raritan Canal Company for the ensuing year.

ATLANTIC COUNTY.

Judge.

The names of William H. Moore, Abraham L. Izard, and John C. Abbott, being on nomination,

Mr. Hoxsey offered the following resolution :

Resolved, That the appointment of Judges of the Inferior Court of Common Pleas be postponed to Thursday next,

Which was read ; and upon the question of agreeing to the Resolution, the ayes and nays were demanded, and the call was sustained and ordered, were as follows :

AYES—Alexander, (Pres.) Beatty, I. Bonnell, Bramhall, Cake, Conklin, Decker, Depew, Gaunt, Gould, Harris, Hoxsey, Johnston, Lafetra, Laird, Logan, Morrell, Osbourn, Pennington, Pitney, Rea, Robertson, Schoonmaker, Somers, Sooy, Stinson, Stout, Stratton, Wells, White, Winans, Young—32.

NAYS—Messrs. Albertson, Allen, Barrett, Board, Bolles, Brown, Chetwood, Cowperthwaite, T. W. Demarest, R. S. Demarest, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Holmes, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Norcross, Parry, (Sp.) Perry, Roberts, Schenck, Smith, Stelle, Stults, Swain, Thompson, Tomlin, Tompkins, Vandeventer, Vandoren—42.

So the Resolution was not agreed to.

Mr. Board offered the following Resolution :

Resolved, That the Joint Meeting proceed with the consideration of the nominations before it ; and that no other business shall be in order until they are decided.

Which was read, and was ruled by the Chairman to be out of order.

Mr. Board appealed from the decision of the chair.

The question was taken,

Will the Joint Meeting sustain the decision of the chair, and the decision of the chair was sustained.

Mr. Somers moved—That the appointment of a Judge for the County of Atlantic be postponed.

Upon the question on postponing, the ayes and nays were called for, and the call was sustained and ordered, and resulted as follows:

AYES—Messrs. Alexander, (Pres.) Beatty, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Holmes, Hoxsey, Johnston, Laird, Logan, Osbourn, Pennington, Pitney, Rea, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stinson, Stratton, Tomlin, White, Winans, Wells—33.

NAYS—Messrs. Albertson, Allen, Barrett, Board, Bolles, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Norcross, Parry, (Sp.) Perry, Schenck, N. F. Smith, C. P. Smith, Stelle, Stout, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren, Young—40.

So the resolution was not agreed to.

Mr. L. Howell moved that William H. Moore be appointed Judge for the County of Atlantic.

Upon the question, on agreeing to the resolution,

Mr. Hoxsey moved to lay the resolution on the table:

Upon which question the ayes and nays were called for, and the call was sustained and ordered, and resulted as follows—

AYES—Messrs. Alexander, (Pres.) Barrett, Beatty, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Holmes, Hoxsey, Johnston, Lafetra, Laird, Logan, Pennington, Pettinger, Pitney, Rea, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stratton, Voorhees, Wells, White, Winans, Young—35.

NAYS—Messrs. Albertson, Allen, Board, Bolles, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory,

Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Norcross, Osbourn, Parry, (Sp.) Perry, Schenck, N. F. Smith, C.P. Smith, Stelle, Stinson, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren—39.

So the resolution was not agreed to.

Mr. Roberts moved to postpone for the present the appointment of Judge for the County of Atlantic.

Upon which question, the ayes and nays were demanded and the call was sustained and ordered, and were as follows:

AYES—Messrs. Alexander, (Pres.) Beatty, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Hoxsey, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pitney, Rea, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stout, Stratton, Tomlin, Voorhees, Wells, White, Winans, Young—35.

NAYS—Messrs. Albertson, Allen, Barrett, Board, Bolles, Brown, Chetwood, Cowperthwaite, Diverty Elmer, Franklin, Gregory, Hines, Hoagland, Holmes, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Norcross, Parry (Sp.) Perry, Pittenger, Schenck, C. P. Smith, N. F. Smith, Stelle, Stinson, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren—41.

So the motion was not agreed to.

Mr. Hoxsey moved, that the Joint Meeting do now adjourn,

And thereupon called for the ayes and nays, and the call was sustained, and resulted as follows:

AYES—Alexander, (Pres.) Beatty, I. Bonnell, Bramhall, Cake, Conklin, Decker, R. S. Demarest, T. W. Demarest, Depew, Gaunt, Gould, Harris, Hoxsey, Johnston, Lafetra, Laird, Logan, Pennington, Pittenger, Pitney, Rea, Robertson, Schoonmaker, Somers, Stratton, Voorhees, Wells, White, Winans, Young—31.

NAYS—Messrs. Albertson, Allen, Barrett, Board, Bolles, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Holmes, Hopping, E. Howell, M. A.

Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Norcross, Osbourn, Parry, (sp.) Perry, Roberts, Scheck, N. J. Smith, C. P. Smith, Sooy, Stelle, Stinson, Stout, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren-44

So the joint meeting refused to adjourn.

Mr. Roberts moved, that for the purpose of affording an opportunity for making some inquiries relative to the nominees, the appointments be postponed two hours.

Mr. Jay moved to lay the resolution upon the table.

Upon which question the ayes and nays were demanded, and the call sustained and ordered, and were as follows—

AYES—Messrs. Albertson, Allen, Barrett, Board, Bolles, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Holmes, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Parry, (Sp.) Perry, Schenck, N. F. Smith, C. P. Smith, Stelle, Stinson, Stults, Swain, Thomson, Vandeventer, Vandoren, Young—39.

NAYS—Messrs. Alexander, (Pres.) Beatty, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Hoxsey, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pittenger, Pitney, Rea, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stratton, Tomlin, Tompkins, Voorhees, Wells, White, Winans—35.

So the resolution was ordered to lie on the table.

Mr. Jay moved the previous question.

Upon the question,

Shall the main question be now put?

The ayes and nays were demanded, and the call sustained and ordered, and were as follows—

Ayes—Messrs. Albertson, Allen, Barrett, Board, Bolles, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Holmes, Hopping, E. Howell, M. A.

Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Parry, (Sp.) Perry, Pettinger, Schenck, N.F.Smith, C. P. Smith, Stelle, Stout, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren—40.

Nays—Messrs. Alexander, (Pres) Beatty, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Hoxsey, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pitney, Rea, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stratton, Tomlin, Voorhees, Wells, White, Winans, Young—34.

So the previous question was ordered to be put.

Mr. Hoxsey moved that the Joint Meeting do now adjourn.

Upon which question the ayes and nays were demanded, and the call was sustained and ordered, and were as follows—

Ayes—Messrs. Alexander, (Pres.) Beatty, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Holmes. Johnston, Lafetra, Laird, Logan, Pennington, Pitney, Robertson, Schoonmaker, Somers, Sooy, Stout, Stratton, Tomlin, Voorhees, Wells. White, Winans, Young—32.

Nays—Messrs. Allen, Barret, Board, Brown, Bolles, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Osbourn, (Parry, (Sp.) Perry, Pittenger, Schenck, N. F. Smith, C. P. Smith, Stelle, Stults, Swain, Thompson, Tompkins, Vandventer, Vandoren—39.

So the motion to adjourn was not agreed to.

The question was thereupon being taken upon the resolution offered by Mr. L. Howell to appoint Mr. Moore Judge for the County of Atlantic, when

Mr. Hoxsey again moved that the Joint Meeting do now adjourn.

The question being put upon agreeing to the resolution,

Mr. Allen rose to a point of order—that as no question had

been taken since the vote to adjourn had been decided, it was out of order to repeat the question.

The Chairman decided the point of order to be not well taken, and proceeded to put the question upon the motion for adjournment.

And thereon the ayes and nays were demanded, and the call was sustained and ordered, and were as follows—

AYES—Messrs. Alexander, (Pres.) Beatty, I. Bonnell, Bramhall, Cake, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Holmes, Hoxsey, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pittinger, Pitney, Rea, Robertson, Schoonmaker, Somers, Sooy, Stout, Stratton, Tomlin, Voorhees, Wells, White, Winans, Young—35.

NAYS—Messrs. Albertson, Allen, Barrett, Board, Bolles, Brown, Chetwood, Conklin, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Martin, Morrell, Parry, (Sp.) Perry, Roberts, Schenck, N. F. Smith, C. P. Smith, Stelle, Stinson, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren—39.

So the motion to adjourn was not agreed to.

The question was then taken upon the appointment of William H. Moore, Judge of the County of Atlantic.

And the ayes and nays were demanded and the call sustained and ordered, and were as follows—

AYES—Albertson, Allen, Barrett, Board, Bolles, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Parry (Sp.,) Perry, Schenck, N. F. Smith, C. P. Smith, Stelle, Stinson, Stout, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren, Wells—40.

NAYS—Messrs. Alexander (Pres.,) Beatty, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Holmes, Hoxsey, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pittenger, Pitney, Rea, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stratton, Tomlin, Voorhees, White, Winans, Young—35.

Whereupon William H. Moore, having received a majority of the votes cast, was declared to be duly appointed Judge for the county of Atlantic.

Mr. Welles moved a re-consideration of the question upon

the appointment of William H. Moore Judge for the County of Atlantic.

Mr. Board moved to lay the resolution upon the table.

Upon which question the ayes and nays were demanded, and the call was sustained and ordered, and were as follows—

AYES—Messrs. Albertson, Allen, Barret, Board, Bolles, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, (Parry, (Sp.) Perry, Schenck, N. F. Smith, C. P. Smith, Stinson, Stelle, Stults, Swain, Thompson, Tompkins, Vandventer, Vandoren—39.

NAYS—Messrs. Alexander, (Pres.) I. Bonnell, Beatty, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Hoxsey, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pittenger, Pitney, Rea, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stout, Stratton, Tomlin, Voorhees, Wells, White, Winans, Young—36.

So the motion to re-consider was laid on the table.

Mr. I. Bonnell moved that the joint meeting do now adjourn.

Upon the question on adjournment, the ayes and nays were called for, and the call was sustained and ordered, and resulted as follows:

AYES—Messrs. Alexander, (Pres.) Beatty, I. Bonnell, Bramhall, Cake, Conklin, Decker, R. S. Demarest, Depew, Gaunt, Gould, Harris, Hoxsey, Holmes, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pittenger, Pitney, Rea, Robertson, Schoonmaker, Somers, Sooy, Stinson, Stout, Stratton, Tomlin, Voorhees, Wells, White, Winans, Young—36.

NAYS—Messrs. Albertson, Allen, Barrett, Board, Bolles, Brown, Chetwood, Cowperthwaite, Diverty Elmer, Franklin, Gregory, Hines, Hoagland, Holmes, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Parry (Sp.) Perry, Roberts, Schenck, C. P. Smith,

N. F. Smith, Stelle, Stults, Swain, Thompson, Tompkins, Vandeventer, Vandoren—38.

So the joint meeting refused to adjourn.

Mr. Allen moved to take up the nominations for the county of Bergen.

Mr. Hoxsey moved to lay the resolution on the table.

Upon which question, the ayes and nays were demanded and the call was sustained and ordered, and were as follows:

AYES—Alexander, (Pres.) Beatty, I. Bonnell, Cake, Conklin, Decker, Depew, Gaunt, Gould, Harris, Hoxsey, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pitney, Rea, Robertson, Schoonmaker, Somers, Stratton, Voorhees, Wells, White, Winans, Young—28.

NAYS—Messrs. Albertson, Allen, Barrett, Board, Bolles. Brown, Chetwood, Cowperthwaite, R. S. Demarest, T. W, Demarest, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland Holmes, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Parry, (sp.) Perry, Roberts, Scheck, N. F. Smith, C. P. Smith, Stelle, Swain, Thompson, Tompkins, Vandeventer, Vandoren—40.

So the motion was not agreed to.

Mr. Hoxsey moved, that the Joint Meeting do now adjourn,

Upon which question the ayes and nays were demanded, and the call sustained and ordered,

And were about to be announced, when

Mr. Hoxsey moved a call of the joint meeting.

It appearing to be a point admitting of question whether a call was in order,

The question whether a call of the joint meeting was within the Rules?

Was then put to the joint meeting, and thereon the ayes and nays were demanded. and the call was sustained and ordered, and resulted as follows—

Ayes—Messrs. Beatty, Cake, Conklin, Decker, Gould, Johnston, Lafetra, Pennington, Rea, Robertson, Schoonmaker, Somers, Stout, Stratton, Voorhees, Wells, White, Young—18.

Nays—Messrs. Alexander, (Pres.) Albertson, Allen, Barrett, Board, Bolles, I. Bonnell, Brown, Cowperthwaite, R.S. Demarest, T. W. Demarest, Diverty, Elmer, Franklin, Gaunt, Gregory, Hines, Hoagland Holmes, Hopping, E. Howell, M. Howell, L. Howell, Hoxsey, Hunt, Hutchinson, Jay, Keen, Laird, Martin, Morrell, Parry (sp.) Pittenger, Roberts, Schenck, N. F. Smith, C. P. Smith, Sooy, Stelle, Swain, Thompson, Tompkins, Tomlin, Vandeventer, Vandoren—45.

So the joint meeting refused to allow the call,

And the vote upon the motion to lay on the table was announced as follows—

Ayes—Messrs. Alexander, (Pres.) Beatty, I. Bonnell, Cake, Conklin, Decker, T. W. Demarest, Depew, Gaunt, Gould, Harris, Holmes, Hoxsey, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pittenger, Pitney, Rea, Robertson, Schoonmaker, Somers, Sooy, Stults, Stratton, Tomlin, Voorhees, Wells, White, Young—33.

Nays—Messrs. Albertson, Allen, Barrett, Board, Bolles, Brown, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Martin, Morrell, Parry, (Sp.) Perry, Roberts, Schenck, N. F. Smith, C. P. Smith, Stelle, Swain, Thomson, Tompkins, Vandeventer, Vandoren—35.

So the resolution was not agreed to.

Mr. Wells offered the following—

Resolved, That Stacy B. Reed be authorized by this Joint Meeting to furnish a sufficient quantity of refreshments for the members and officers of this body to last them until to-morrow morning.

Which was read.

Upon the question of agreeing to the resolution, the ayes and nays were called for, and the call was sustained and ordered, and are as follows—

AYES—Messrs. Cake, Decker, Hines, Johnston, Logan, Pennington, Pitney, Rea, Roberts, Robertson, Schoonmaker, Somers, Stratton, Wells, White,—15.

NAYS—Messrs. Alexander, (Pres.) Albertson, Barrett Boaid, I. Bonnell, Brown, T. W. Demarest, R. S. Demarest, Diverty, Elmer, Franklin, Guant, Gould, Gregory, Hoagland, Holmes, Hopping, E. Howell, M. A. Howell, L. Howell, Hoxsey, Hunt, Hutchinson, Jay, Keen, Lafetra, Lewis, Martin, Morrell, Osbourn, Parry, (Sp.) Perry, Pittenger, Schenck, N. F. Smith, Sooy, Stelle, Swain, Thompson, Tompkins, Vandeventer, Vandoren, Voorhees, Young—44.

So the resolution was not agreed to.

Mr. Lafetra offered the following—

Resolved, That the further consideration of the appointments now before the Joint Meeting be postponed until Thursday next.

Which was read.

Upon the question of agreeing to the resolution,

Mr. Jay moved to amend by striking out all after 'resolved,' and inserting—'That this Joint Meeting will continue in session until all the Judges and other officers are appointed.'

Mr. T. W. Demarest moved to lay the amendment on the table.

Mr. Allen moved to lay the amendment and original resolution on the table.

Mr. Hoxsey moved to lay the motion of Mr. Allen on the table.

Mr. Jay moved to lay the motion of Mr. Hoxsey on the table.

Upon which question the ayes and nays were demanded and the call was sustained and ordered, and were as follows—

AYES—Messrs. Alexander, (Pres.) Albertson, Allen, Bar-

rett, Beatty, Bolles, Brown, Cake, Conklin, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Holmes, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Osbourn, Parry, (Sp.) Perry, Pettinger, Roberts, Schenck, N. F. Smith, C. P. Smith, Stelle, Swain, Thompson, Vandeventer, Vandoren, Voorhees, White, Young—44.

NAYS—Messrs. Board, I. Bonnell, Decker, R. S. Demarest, T. W. Demarest, Depew, Gaunt, Gould, Harris, Hoxsey, Johnston, Lafetra, Logan, Pennington, Pitney, Rea, Robertson, Schoonmaker, Somers, Sooy, Stratton—21.

Mr. Hoxsey moved that the Joint Meeting do now adjourn.

Upon the question of adjournment the ayes and nays were demanded, and the call was sustained and ordered, and were as follows—

AYES—Messrs. Alexander, (Pres.) Beatty, I. Bonnell, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Harris, Hines, Holmes, L. Howell, Hoxsey, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pettinger, Pitney, Robertson, Schoonmaker, Somers, Sooy, Stout, Voorhees, Wells, White, Young—32.

NAYS—Messrs. Albertson, Allen, Barrett, Board, Brown, Cowperthwaite, Diverty, Elmer, Franklin, Hoagland, E. Howell, M. A. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Morrell, Parry, (Sp.) Perry, Roberts, Schenck, N. F. Smith, C. P. Smith, Stelle, Swain, Thompson, Tompkins, Vandeventer, Vandoren—31.

So the motion to adjourn prevailed, and the Joint Meeting stood adjourned to meet, pursuant to resolution, in this room, on Thursday next, at eleven o'clock.

THURSDAY, April 5, 1855.

At eleven o'clock, pursuant to adjournment, the Senate and General Assembly met in Joint Meeting in the Assembly Chamber.

On motion of Hon. William C. Alexander, President of the Senate, the Hon. William Parry, Speaker of the House, was elected Chairman of the Joint Meeting, and thereupon took the Chair.

The minutes of the previous meeting were read in part; and on motion of Mr. Hoxsey, the further reading was dispensed with.

Mr. Wells offered the following resolution—

Resolved, That we vote for the Treasurer and Prison Keeper by ballot, and after the election of Commissioners, which shall be by voice.

Which was read.

Upon the question of agreeing to the resolution,

Mr. Jay moved to lay the resolution on the table.

Upon the question of laying the resolution on the table, the ayes and nays were demanded, and the call sustained and ordered, and were as follows—

AYES—Messrs. Alexander, (Pres.) Albertson, Allen, Barrett, Board, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Norcross, Parry, (Sp.) Pennington, Perry, Schenck, Schoonmaker, N. F. Smith, C. P. Smith, Stelle, Stout, Swain, Thompson, Tompkins, Vandeventer, Vandoren—38.

NAYS—Messrs. Beatty, Benjamin, Bolles, A. V. Bonnell, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest. Depew, Gaunt, Gould, Gregory, Harris, Holmes, Hoxsey, Johnston, Lafetra, Laird, Logan, Merseles, Osbourn, Pitney, Roberts, Robertson, Somers, Sooy, Stinson, Stratton, Tomlin, Voorhees, Wells, White, Winans, Young—37.

So the resolution was ordered to lie on the table.

Mr. Allen moved that the Joint Meeting take up the nominations for State Treasurer, and that the vote upon the same be taken *viva voce.*

And thereon moved the previous question.

Mr. Jay moved to amend by striking out all after 'resolved,' and inserting—'That we proceed first to vote upon the nominations for Prison Keeper.'

Mr. Hoxsey moved to amend by striking out all after 'resolved,' and inserting—'That we now proceed with the appointment of Commissioners to take the acknowledgment of Deeds.

Mr. Jay moved that this Joint Meeting do now adjourn *sine die.*

On the question of adjourning *sine die,* the ayes and nays were demanded, and the call was sustained and ordered, and were as follows—

AYES—Messrs. Alexander, (Pres.) Beatty, Benjamin, Bolles, A. V. Bonnell, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Holmes, Hoxsey, Jay, Johnston, Lafetra, Laird, Lewis, Logan, Osbourn, Pennington, Pitney, Robertson, Schenck, Schoonmaker, Somers, Sooy, Stinson, Stratton, Tomlin, Tompkins, Voorhees, Wells, White, Winans, Young—41.

NAYS—Messrs. Albertson, Allen, Barrett, Board, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Keen, Martin, Merseles, Norcross, Parry, (Sp.) Perry, Roberts, N. F. Smith, C. P. Smith

Stelle, Stout, Swain, Thompson, Vandeventer, Vandoren—34.

The result not yet having been announced,

Mr. Tompkins moved to re-consider the question upon the motion for adjournment.

Mr. Hoxsey rose to a point of order, to the effect that the motion to a vote to adjourn was unparliamentary and out of order.

The Speaker ruled that the point of order was not well taken, as the result had not been announced.

Mr. Hoxsey appealed from the decision of the Chair.

And upon the question,

Will the Joint Meeting sustain the decision of the Chair?

The ayes and nays were demanded, and the call was sustained and ordered, and were as follows:

AYES—Messrs. Alexander, (Pres.) Albertson, Allen, Barrett, Board, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Keen, Lewis, Martin, Merseles, Norcross, Perry, Roberts, Schenck, N. F. Smith, C. P. Smith, Sooy, Stelle, Stout, Swain, Thompson, Tompkins, Vandeventer, Vandoren—38.

NAYS—Messrs. Beatty, Benjamin, Bolles, A. V. Bonnell, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Holmes, Hoxsey, Jay, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pitney, Robertson, Schoonmaker, Somers, Stinson, Stratton, Tomlin, Voorhees, Wells, White, Winans, Young—36.

So the decision of the Chair was sustained.

Mr. M. A. Howell moved the previous question.

Upon the question,

Shall the main question be now put?

The ayes and nays were demanded, and the call was sustained and ordered, and resulted as follows—

AYES—Messrs. Albertson, Allen, Barrett, Board, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hoxsey, Hunt, Hutchinson, Keen, Lewis, Martin, Marseles, Morrell, Norcross, Parry, (Sp.) Perry, Roberts, Schenck, N. F. Smith, C. P. Smith, Stelle, Sooy, Stout, Swain, Thompson, Tompkins, Vandeventer, Vandoren, Wells—41.

NAYS—Messrs. Alexander, (Pres.) Beatty, Benjamin, Bolles, A. V. Bonnell, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Holmes, Jay, Johnston. Lafetra, Laird, Logan, Osbourn, Pennington, Pitney, Robertson, Schoonmaker, Somers, Stinson, Stratton, Tomlin, Voorhees, White, Winans, Young—35.

So the previous question was ordered.

The question was taken upon the motion to re-consider the question of adjournment.

And the ayes and nays were demanded thereon, and the call was sustained and ordered, and resulted as follows—

AYES—Messrs. Albertson, Allen, Barrett, Board, Bolles, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Keen, Martin, Merseles, Norcross, Parry, (Sp.) Perry, Roberts, Schenck, N. F. Smith, C. P. Smith, Stelle, Sooy, Stout, Swain, Thompson, Tompkins, Vandeventer, Vandoren, Wells—38.

NAYS—Alexander, (Pres.) Beatty, Benjamin, Bolles, A V. Bonnell, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Holmes, Hoxsey, Jay, Johnston, Lafetra, Laird, Lewis, Logan, Osbourn, Pennington, Pitney, Robertson, Schoonmaker, Somers, Stinson, Stratton, Tomlin, Voorhees, White, Winans, Young—37.

So the motion to re-consider was agreed to.

The question was then again put upon the motion to adjourn *sine die*,

And the ayes and nays were demanded, and the call was sustained and ordered, and resulted as follows—

Ayes—Messrs. Alexander, (Pres) Beatty, Benjamin, Bolles, I. Bonnell, Bramhall, Cake, Conklin, Decker, T.W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Holmes Hoxsey, Jay, Johnston, Lafetra, Laird, Lewis, Logan, Osbourn, Pennington, Pitney, Robertson, Schoonmaker, Somers, Stinson, Stratton, Thompson, Voorhees, White, Winans, Young—36.

Nays—Messrs. Albertson, Allen, Barrett, Board, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Keen, Martin, Merseles, Norcross, Parry, (Sp.) Perry, Roberts, Schenck, N.F. Smith, C. P. Smith, Stelle, Stout, Swain, Tomlin, Tompkins, Vandeventer, Vandoren, Wells—37.

So the motion to adjourn *sine die* was not agreed to.

The question now being put upon the motion to proceed to the election of a State Treasurer,

Mr. Allen moved the previous question.

Upon the question,

Shall the main question be now put?

The ayes and nays were demanded, and the call was sustained and ordered, and resulted as follows:

Ayes—Albertson, Allen, Barrett, Board, Brown, Chetwood, Cowperthwaite, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Keen, Lewis, Martin, Merseles, Norcross, Parry, (Sp.) Perry, Roberts, Schenck C.P. Smith, Stelle, Stout, Swain, Thompson, Tompkins, Tomlin, Vandeventer, Vandoren—36.

Nays—Messrs. Alexander, (Pres.) Beatty, Benjamin, Bolles, A. V. Bonnell, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Diverty, Gaunt,

Gould, Harris, Holmes, Hoxsey, Jay, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pettinger, Pitney, Robertson, Schoonmaker, N. F. Smith, Somers, Sooy, Stinson, Stratton, Voorhees, Wells, White, Winans, Young—40.

So the call for the previous question was not sustained.

It being decided that notwithstanding the result of the previous vote, the question upon the motion to proceed with the election of State Treasurer was still before the Joint Meeting,

Mr. Hoxsey moved to amend by striking out all after the word 'resolved,' and inserting—'That we now proceed to the appointment of Commissioners for taking the acknowledgment and proof of Deeds, leaving the Treasurer and Prison Keeper for after action.

Mr. Board moved to lay the motion on the table:

Upon which question the ayes and nays were demanded, and the call was sustained and ordered, and resulted as follows—

AYES—Messrs. Albertson, Allen, Board, Bolles, Brown, Chetwood, Cowperthwaite, Elmer, Franklin, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Keen, Lewis, Martin, Merseles, Norcross, Parry, (Sp.) Perry, N.F. Smith, C. P. Smith, Stelle, Stout, Thompson, Tomlin, Tompkins, Vandeventer, Vandoren—34.

NAYS—Messrs. Alexander, (Pres.) Beatty, Barrett, Benjamin, A.V. Bonnell, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Diverty, Gaunt, Gould, Harris, Holmes, Hoxsey, Jay, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pittinger, Pitney, Roberts, Robertson, Schenck, Schoonmaker, Somers, Sooy, Stinson, Stratton, Swain, Voorhees, Wells, White, Winans, Young—42.

So the motion was not agreed to.

The question was then taken upon the amendment,

And it was agreed to.

And the question being taken,

The resolution as amended was adopted.

The list of nominations was then taken up,

And the Joint Meeting proceeded to the appointment of Com-

missioners for taking the acknowledgment and proof of Deeds in the several counties.

ATLANTIC COUNTY.

The names of Henry Stillman and John C. Abbott being on nomination for the township of Weymouth,

Under the direction of the Chairman, the Secretary proceeded to call the Joint Meeting, when the votes were as follows—

Henry Stillman having received a majority of the votes cast, was declared to be duly appointed a Commissioner for taking the acknowledgment and proof of Deeds.

Appointed Commissioners for taking the acknowledgment and proof of Deeds,

Egg Harbor,	Jesse Adams,
Atlantic City,	Richard O. Sonder.

BERGEN COUNTY.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Washington,	Benjamin Z. Van Emburgh,
Harrington,	Barnes N. Ferdon,
New Barbadoes,	Stephen S. Berden,
Hohokus,	Peter A. L. Ackerman,
Franklin,	Peter H. Pules,
Hackensack,	John C. Quackenbush.

BURLINGTON COUNTY.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Chesterfield,	Jacob M. Bunting, Aaron R. Borden, Josiah H. Shinn,
Mansfield,	Henry W. C. Snitchner, Penrose B. McCullough,
Burlington,	John C. Deacon,
Springfield,	Benjamin Kemball,
Northampton,	Peter V. Coppuck, George Palmer,
Washington,	William H. Sooy, Asa S. Carman, William Sooy

Little Egg Harbor,	Elisha Matthews, Joseph Ridgway,
Southampton,	John S. Irick,
New Hanover,	Leison E. English,
Bordentown,	William Biddle,
Chemung,	Nicholas S. Thompson.
Pemberton,	Joseph L. Morton.

CAMDEN COUNTY.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Delaware,	John W. Potts,
Newton,	Jacob L. Rowand,
Centre,	John W. Chester,
Union,	William H. Emory,
North Ward,	Isaac H. Porter,
Middle,	Joseph Myers, Joshua W. Roberts,
Washington,	John W. Downs, John W. Sailer,
Waterford,	Brazillai W. Bennett.

CAPE MAY COUNTY.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Dennis,	Henry Swain,
Middle,	Rich'd Stevenson, Geo. P. McClung.

CUMBERLAND COUNTY.

The names of George Hiseler and Jacob P. Bickley being on nomination for the office of Commissioner for taking acknowledgment and proof of Deeds for the township of Maurice River,

Under the direction of the Chairman, the Secretary proceeded to call the Joint Meeting, when the votes were as follows—

For GEORGE HISELER,

Messrs. Board, Bramhall, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hoagland, Hopping, M. A. Howell, L. Howell, Jay, Keen, Martin, Merseles, Norcross, Parry, (sp.) Perry, N. F. Smith, Stelle, Stinson, Swain, Tompkins, Vandeventer, Vandoren—27.

For JACOB P. BICKLEY,

Messrs. Alexander, (Pres.) Allen, Barrett, Beatty, Benjamin, A. V. Bonnell, I. Bonnell, Cake, Conklin, Decker, R. S. Demarest, T. W. Demarest, Depew, Gaunt, Gould, Harris, Hines, Holmes Hoxsey, Hunt, Hutchinson, Johnston, Lafetra, Laird, Lewis, Logan, Osbourn, Pennington, Pitney, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stratton, Thompson, Tomlin, Voorhees, Wells, White, Winans, Young—41.

Jacob P. Bickley having received a majority of the votes cast, was declared to be duly appointed a Commissioner for taking the acknowledgment and proof of Deeds.

The names of Hosea Moore and James S. Thomas being on nomination for the township of Bridgeton,

Under the direction of the Chairman, the Secretary proceeded to call the Joint Meeting, when the votes were as follows—

For HOSEA MOORE,

Messrs. Albertson, Allen, Board, Bolles, Bramhall, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Jay, Keen, Lewis, Martin, Marseles, Parry, (Sp.) Perry, Schenck, N. F. Smith, C. P. Smith, Stelle, Stout, Swain, Tompkins, Vandeventer, Vandoren, White—34.

For JAMES S. THOMAS,

Messrs. Alexander, (Pres.) Barrett, Beatty, Benjamin, A. V. Bonnell, I. Bonnell, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Gregory, Haris, Hines, Holmes, Hoxsey, Hutchinson, Johnston. Lafetra, Laird, Logan, Osbourn, Pennington, Pittenger. Pitney, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stinson, Stratton, Thompson, Tomlin, Voorhees, Wells, Winans, Young—41.

James S. Thomas having received a majority of the votes cast, was declared to be duly appointed a Commissioner for taking the acknowledgment and proof of Deeds.

The names of Philip Dan and George W. Claypool being on nomination for the township of Bridgeton,

Under the direction of the Chairman, the Secretary proceeded to call the Joint Meeting, when the votes were as follows—

For PHILIP DAN,

Messrs. Allen, Board, Bolles, Bramhall, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Jay, Keen, Martin, Norcross, Parry, (Sp.) Perry, Schenck, N. F. Smith, C. P. Smith, Stelle, Stout, Swain, Tompkins, Vandeventer, Vandoren—32.

For GEORGE W. CLAYPOOL,

Messrs. Alexander, (Pres) Albertson, Barrett, Benjamin, A. V. Bonnell, I. Bonnell, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Holmes Hoxsey, Hutchinson, Hines, Johnston, Laird, Logan, Osbourn, Pennington, Pitney, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stinson, Stratton, Thompson, Tomlin, Voorhees, Wells, White, Winans, Young—39.

George W. Claypool having received a majority of the votes cast, was declared to be duly appointed a Commissioner for taking the acknowledgment and proof of Deeds.

The names of Hugh R. Merseilles and Thomas C. Ware being on nomination for the township of Bridgton,

Under the direction of the Chairman, the Secretary proceeded to call the Joint Meeting, when the votes were as follows—

For HUGH R. MERSEILLES,

Messrs. Allen, Board, Bolles, Bramhall, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Martin, Merseles, Norcross, Parry, (Sp.) Perry, Pittenger, Schenck, N. F. Smith, C. P. Smith, Stelle, Stinson, Stout, Swain, Tompkins, Vandeventer, Vandoren—36.

For THOMAS C. WARE,

Messrs. Alexander, (Pres.) Albertson, Barrett, Beatty, Benjamin, A. V. Bonnell, I. Bonnell, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Gaunt, Gould, Harris, Hines,

Holmes, Hoxsey, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pitney, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stratton, Thompson, Tomlin, Voorhees, Wells, White, Winans, Young—38.

Thomas C. Ware having received a majority of the votes cast, was declared to be duly appointed a Commissioner for taking the acknowledgment and proof of Deeds.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Stone Creek,	Bedford M. Bonham, Belford E. Davis,
Hopewell,	Thomas Bowen,
Fairfield,	William Harris, David Harris,
Milleville,	E. D. McClung.

On motion of Mr. Jay,

The Joint Meeting adjourned to three o'clock.

At three o'clock the Joint Meeting was called to order by the Chairman, and under his direction the Secretary proceeded to call the Joint Meeting, and the following members answered to their names—

Messrs. Alexander, (Pres.) Allen, Barrett, Beatty, Benjamin, Board, A. V. Bonnell, I. Bonnell, Brown, Cake, Chetwood, Conklin, Cowperthwaite, R. S. Demarest, T. W. Demarest, De-

pew, Diverty, Elmer, Gaunt, Gould, Gregory, Harris, Hines, Hoagland, Holmes, Hopping, E. Howell, M.Howell, L. Howell, Hoxsey, Hunt, Hutchinson, Jay, Johnston, Keen, Lafetra, Laird, Lewis, Logan, Martin, Merseles, Norcross, Parry (sp.) Pennington, Pe rry, Pittenger, Pitney, Roberts, Robertson, Schenck, Schoonmaker, Somers, N. F. Smith, C. P. Smith, Sooy, Stelle, Stinson, Swain, Thompson, Tomlin, Tompkins, Vandoren, Voorhees, Wells, White, Winans, Young—68.

Mr. Cake offered the following resolution—

Resolved, That the members of the body be requested by the Chair to keep their seats during the call of the ayes and nays and the announcement of the vote.

Which was read and agreed to.

ESSEX COUNTY.

Aldermen of the Borough of Elizabeth.

Appointed,

Keen Pruden, John H. Ralsten, David B. Lum.

Police Justices.

Appointed,

Newark,	1st Ward,	William Bradshaw,
Do.	4th do.	Garret Sanford,
Do.	6th do.	John Medcraft.

The names of William Rosseter and Thomas B. Pierson being on nomination for the office of Police Justice of the 3rd Ward, city of Newark, the Secretary, under the direction of the Chairman, proceeded to call the Joint Meeting, when the votes were as follows—

For WILLIAM ROSSETER.

Messrs. Allen, Board, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Gregory, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hutchinson, Jay, Martin, Norcross, Parry, (Sp.)Perry, Pittenger, Roberts, Schenck, N. F. Smith,

C. P. Smith, Stelle, Stinson, Swain, Thompson, Tomlin, Vandeventer, Vandoren—32.

For THOMAS B. PIERSON,

Messrs. Alexander, (Pres.) Barrett, Beatty, Bolles, Benjamin, A. V. Bonnell, I. Bonnell, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gould, Harris, Holmes, Hoxsey, Hunt, Johnston, Keen, Lafetra, Lewis, Logan, Marseles, Morrell, Osbourn, Pennington, Pitney, Robertson, Schoonmaker, Somers, Sooy, Stratton, Tompkins, Voorhees, Wells, White, Winans, Young—39.

Thomas B. Pierson having received a majority of the votes cast, was declared to be duly appointed Police Justice of the 3rd Ward, city of Newark.

Resignations.

Mr. Pennington presented the resignation in writing of Jas. A. Pennington as a Commissioner for taking the acknowledgment and proof of Deeds, in the 5th Ward of the city of Newark, in the county of Essex.

Which was read, and on motion it was

Resolved, That the same be accepted.

Mr. Elmer presented the resignation in writing of Horace N. Congar, as a Commissioner for taking the acknowledgment and proof of Deeds in the 4th Ward of the city of Newark, in the county of Essex.

Which was read, and on motion it was

Resolved, That the same be accepted.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Orange,	Aaron Quinby,
Belleville,	John W. Dorr, Theodore Sanford,
Springfield,	Elijah Stites,
New Providence,	Jonathan M. Wilcox,

Elizabeth,	Melvine W. Halsey, Caleb Squire,
Newark, 1st Ward,	William Bradshaw,
— 2nd —	David M. Baldwin,
— 3d —	John Thatcher, Chas. T. Perrine,
— 3d —	James M. Grover,
— 4th —	Garret Sanford, Charles A. Lent, Samuel Wilcox,
— 8th —	John Woodyard,
— 9th —	Elias Freeman.

The names of Elias B. Earles and James H. Tickner being on nomination for the office of Commissioner for taking the acknowledgment and proof of Deeds for the 5th Ward,

Under the direction of the Chairman, the Secretary proceeded to call the Joint Meeting, when the votes were as follows—

For ELIAS B. EARLES,

Messrs. Albertson, Allen, Barrett, Board, Bolles, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Gregory, Hines. Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hutchinson, Jay, Lewis, Martin, Merseles, Norcross, Parry (Sp.) Perry, Pittenger, Roberts, Schenck, N. F. Smith, C. P. Smith, Sooy, Stelle, Stinson, Swain, Thompson, Tomlin, Tompkins, Vandeventer, Vandoren—39.

For JAMES H. TICKNER,

Messrs. Alexander, (Pres.) Beatty, Benjamin, A. V. Bonnell, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Harris, Holmes, Hoxsey, Hunt, Johnston, Lafetra, Laird, Logan, Osbourn, Pennington, Pitney, Robertson, Schoonmaker, Somers, Stratton, Voorhees, Wells, White, Winans, Young—34.

Elias B. Earles having received a majority of the votes cast, was declared to be duly appointed.

Appointed—

Westfield,	Gideon Ross, John M. Clark,
Plainfield,	Elias Runyon,
Rahway,	Amos Morse.

GLOUCESTER COUNTY.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Deptford,	Alexander Wurtz, Joseph Sanders,
Mantua,	Isaac C. Dilks,
Woolwich,	Charles P. Shivers,
Harrison,	Joseph A. Sheek, Thos. Roman, Sen.

HUDSON COUNTY.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Jersey City,	2d Ward,	James S. Gopsill,
—	3d —	Charles H. Winfield,
Hoboken,	1st —	John M. Board,
—	2d —	Andrew Mount,
—	3d —	James H. Ward,

Bergen.—George Thomas, Henry Newkirk.
North Bergen.—John G. Ackerman, Charles Luxton.
Harrison.—Cornelius Sheppard, Elias S. Bloomfield.

HUNTERDON COUNTY.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Alexandria,	William A. Hoff, Nathanil Eycke
Kingwood,	Peter F. Opdyke,
Franklin,	George A. Courtney Lundy,
	Andrew Emons,
	Peter Melick,
Union,	Robert Foster,
Clinton,	Peter Van Pelt,
Readington,	Isaiah P. Large,
	Aaron Thompson,
Tewksbury,	Samuel W. Salter,
Lambertsville,	Samuel H. Parson,
	Lewis S. Paxson,
East Amwell,	John H. Williamson,
	William W. Metter,
Delaware,	Reading Moore.

MERCER COUNTY.

Appoited Commissioners for taking the acknowledgment and proof of deeds in the townships of

Hamilton,	Robert L. Hutchinson,
Trenton, 3d Ward,	Bailey A. West,
Lawrence,	Joseph F. Bertine,
Hopewell,	William B. Muirhead,
Princeton,	Augustus L. Martin.

The names of John S. Leigh and Abraham Van Duyn being on nomination for the office of Commissioner for taking the acknowledgment and proof of Deeds for the township of Princeton,

Under the direction of the Chairman, the Secretary proceeded to call the joint meeting, when the votes were as follows:

For JOHN S. LEIGH.

Messrs. Alexander, (Pres.) Barrett, Beatty, Benjamin, Bolles, A. V. Bonnell, I. Bonnell, Bramhall, Cake. Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Franklin, Gaunt, Gould, Harris, Hines, Holmes, Hoxsey, Johnston, Lafetra, Laird, Lewis, Logan, Osbourn, Parry, (Sp.) Pennington, Pettinger, Pitney, Roberts, Robertson, Schoonmaker, Somers, Sooy, Stinson, Stratton, Thompson, Tomlin, Tompkins, Voorhees, Wells, White, Winans, Young—46.

For ABRAHAM Van DUYN.

Messrs. Allen, Board, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Martin, Merseles, Norcross, Perry, Schenck, N. F. Smith, C. P. Smith, Stelle, Swain, Vandeventer, Vandoren—27.

John S. Leigh having received a majority of the votes cast, was declared to be duly appointed.

MIDDLESEX COUNTY.

Commissioners for taking the acknowledgment and proof of deeds in the townships of

Woodbridge,	Luther J. Tappan,
Piscataway,	Joel Dunham,
Perth Amboy,	John L. Boggs,
North Brunswick,	Andrew J. Disbrow,
	Henry B. Poole,
South Brunswick,	Richard Mc'Donald,
Monroe,	Jacob Wyckoff,
South Amboy,	Abraham Everett.

MONMOUTH COUNTY.

Commissioners for taking the acknowledgment and proof of deeds in the townships of

Upper Freehold,	William J. Brown,
Millstone,	Gilbert S. Reed,
Manalapan,	Jeremiah S. English,
	John Headden,
Middletown,	William Morford,
	Ezra A. Osborne,
Freehold,	Horatio Ely,
Marlboro,	John W. Hyers,
	John M. Boice,
Atlantic,	Joseph T. Laird,
Raritan,	Jacob Ten Eyck,
Shrewsbury,	Michael Taylor,
Wall,	Richard Davidson,
Howell,	Wade Little.

MORRIS COUNTY.

Appointed Commissioners for taking the acknowledgment and proof of deeds in the townships of

Morristown,	Elias R. Williams,
Hanover,	Ephraim Young,
Chester,	David T. Cooper,
Mendham,	Lewis Loree,
Washington,	John T. Hoffman,
Rockaway,	William M. Dickson,
	Henry Baker,
Roxbury,	Jesse Dell,
	John Wills,
Randolph,	Job L. Lawrence.

OCEAN COUNTY.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Stratford,	Joel Haywood,
Union,	Jacob Birdsell,
Dover,	James Gulick,
Jackson,	George Gravatt,
Plumstead,	Andrew J. Allen,
Brick,	William B. Hill,
	John G. W. Havens,
	Joseph H. Van Hise.

PASSAIC COUNTY.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Aquacknonck,	Adrian Van Riper,
	John D. Merseilles,
Patterson, 5th Ward,	Martin Canoran,
	Edward I. Ford,
	Cornelius A. Hopper,
Manchester,	Joel M. Johnson,
	William A. Surnee,
Wayne,	George A. Ryerson,
Pompton,	William G. Smith,
West Milford,	John I. Rue.

SOMERSET COUNTY.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Bridgewater,	James C. Voorhees,
	James Taylor,
Bedminster,	Elias Brown,
Bernards	Walter B. Alwood,
Warren,	Alfred Berry,
Branchbury,	Frederick D. Brokaw,
Hillsborough	John L. Bellis.

SALEM COUNTY.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Pilesgrove,	William M. Cawley,
	Mahlon Dickinson,
Lower Alloway's Creek,	Daniel Tracy,
Upper Alloway's Creek,	William M. Foster,
	Stephen Smith,
Elsinborough,	William B. Carpenter,
	Joseph B. Thompson,
Upper Penn's Neck,	John M. Springer,
Pittsgrove,	Samuel Peacock,
Mannington,	Joseph R. Chew,
Salem,	John N. Cooper,
	Thomas V. F. Rusling.

SUSSEX COUNTY.

Appointed Commissioners to take acknowledgment and proof of Deeds in the townships of

Stillwater,	Joseph H. Camsen,
Sparta,	David Smith,
	Lewis Sherman,
	David M. Sayre,
	Moses Woodruff,
Wantage,	Jacob H. Beemer,
	Moses Dunning,
Hardiston,	Richard Lawrence,
Byram,	Augustus G. King,
Sandyston,	John D. Everett,
	Hyram C. Clark,
Newton,	Josiah Wallens,
	William R. Morris,
	Alfred H. Fitch,
Frankfort,	Simeon H. Stevens,
	Elias Hackenbury,
Greene,	John B. Stackhouse,
Walpack,	Jonas K. Smith,
Lafayette,	Alexander McDonnell,
	John Weller,
Montague,	James B. Armstrong,
	Sanford McAbee,
Wantage,	Ira D. Hoffman,
Vernon,	Samuel D. Givens.

WARREN COUNTY.

Appointed Commissioners for taking the acknowledgment and proof of Deeds in the townships of

Mansfield,	John B. Fisher, Jonathan Pitcock.
Franklin,	Daniel Runkle, William Winter, Phillip D. Weller.
Hope,	Jacob H. Stinson.
Knowlton,	Aaron O. Barton, Josiah Dewitt, Isaac Leida.
Independence,	Abraham R. Day, William F. Wire.
Greenwich,	Robert L. Kleine.
Blairstown,	John Hull, John Flock.
Frelinghuysen,	Theodore P. Cornell.
Harmony,	John Young, John Kinney.
Phillipsburg,	John P. Winter.
Washington,	Jonathan Petty, Phillip Johnson.
Hackettstown,	Henry L. Pownell.

Mr. Jay moved that the Joint Meeting do now proceed to make the appointment for Keeper of the State Prison.

Upon the question of agreeing to the resolution, the ayes and nays were demanded, and the call was sustained and ordered, and were as follows:

AYES—Messrs. Albertson, Allen, Board, Bolles, Brown, Chetwood, Cowperthwaite, R. S. Demarest, Diverty, Elmer, Hoagland, Holmes, Hopping, E. Howell, L. Howell, Hunt, Hutchinson, Jay, Keen, Lewis, Martin, Norcross, Parry (Sp.) Perry, Schenck, N. F. Smith, Stelle, Stout, Swain, Tompkins, Vandeventer, Vandoren—32.

NAYS—Messrs. Alexander, (Pres.) Barrett, Beatty, Benjamin, A. V. Bonnell, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, Depew, Franklin, Gaunt, Gould, Gregory, Harris, Hines, Hoxsey, Johnston, Lafetra, Laird, Logan, Merseles, Osbourn, Pennington, Roberts, Robertson, Schoonmaker, C. P. Smith, Somers, Scoy, Stinson, Stratton, Thompson, Franklin, Voorhees, Wells, White, Winans, Young—41.

So the resolution was not agreed to.

Mr. Hoxsey moved that the Joint Meeting do now adjourn *sine die*.

Upon the qnestion of agreeing to the resolution, the yeas and nays were demanded, and the call was sustained and ordered, and resulted as follows:

AYES—Messrs. Alexander, (Pres.) Beatty, Benjamin, A. V. Bonnell, I. Bonnell, Bramhall, Cake, Conklin, Decker, T. W. Demarest, R. S. Demarest, Depew, Gaunt, Gould, Gregory, Harris, Holmes, Hoxsey, Jay, Johnston, Lafetra, Laird, Logan, Merseles, Osbourn, Pennington, Pitney, Robertson, Schenck, Schoonmaker, N. F. Smith, Somers, Sooy, Stinson, Stratton, Voorhees, White, Winans, Young—40.

NAYS—Messrs. Albertson, Allen, Barret, Board, Bolles, Brown, Chetwood, Cowperthwaite, Diverty, Elmer, Franklin, Hines, Hoagland, Hopping, E. Howell, M. A. Howell, L. Howell, Hunt, Hutchinson, Keen, Martin, Norcross, (Parry, (Sp.) Perry, Roberts, C. P. Smith, Stelle, Swain, Thompson, Tomlin, Tompkins, Vandeventer, Vandoren, Wells—34.

So the resolution was agreed to,

And the Joint Meeting rose.

Attest:

P. D. VROOM,
Secretary.

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to incorporate the Hudson and Hackensack Tunnel and Through Cut Company, 738. 740. 747. 810. 838. 879. 990.

to incorporate the Spruce Run Railroad Company, 746. 762. 775. 787. 806.

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